

**UNOFFICIAL VERSION**

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**THURSDAY, JANUARY 26, 2012**

**FORTY-SEVENTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Ramsey.

**PRAYER**

The proceedings were opened with prayer by Father Joseph P. Breen of St. Edward Church in Nashville, Tennessee, a guest of Senator Henry.

**PLEDGE OF ALLEGIANCE**

Senator Henry led the Senate in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 33

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

**STANDING COMMITTEE REPORTS**

**EDUCATION**

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Resolution No. 74.

GRESHAM, Chairperson  
January 25, 2012

The Speaker announced that he had referred Senate Resolution No. 74 to the Committee on Calendar.

**TRANSPORTATION AND SAFETY**

MR. SPEAKER: Your Committee on Transportation and Safety begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2125, 2169, 2195, 2274, 2278, 2295, 2296 and 2297; also, recommend that Senate Bill No. 2266 be referred to Committee on Finance, Ways and Means.

TRACY, Chairperson  
January 25, 2012

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The Speaker announced that he had referred Senate Bills Nos. 2125, 2169, 2195, 2274, 2278, 2295, 2296 and 2297 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2266 to the Committee on Finance, Ways and Means.

### ENERGY AND ENVIRONMENT

MR. SPEAKER: Your Committee on Energy and Environment begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 2257.

SOUTHERLAND, Chairperson  
January 25, 2012

The Speaker announced that he had referred Senate Bill No. 2257 to the Committee on Calendar.

### GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2319, 2320, 2326, 2329, 2330, 2331, 2332, 2333, 2334 and 2336.

BELL, Chairperson  
January 25, 2012

The Speaker announced that he had referred Senate Bills Nos. 2319, 2320, 2326, 2329, 2330, 2331, 2332, 2333, 2334 and 2336 to the Committee on Calendar.

### MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 2900 through 3191** be passed on first consideration, which motion prevailed.

### INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

**Senate Bill No. 2900** by Senator Finney.

Education -- As introduced, requires a special education diploma be awarded to students who have satisfactorily completed an IEP with satisfactory attendance and conduct, but who have not passed the proficiency tests required for graduation with a regular diploma. Amends TCA Title 49, Chapter 6, Part 60.

**Senate Bill No. 2901** by Senator Finney.

Taxes, Income -- As introduced, increases annual Hall income tax exclusion from first \$1,250 to \$7,500 for individual returns and from first \$2,500 to \$15,000 for joint returns beginning January 1, 2013. Amends TCA Title 67, Chapter 2, Part 1.

**Senate Bill No. 2902** by Senator Finney.

Parks, Natural Areas Preservation -- As introduced, adds retired members of the Tennessee National Guard to those who are authorized to receive discounted rates offered by the Commissioner of Conservation and Environment for activities at state parks; requires discounted rates to be posted in a facility if the facility is one to which the rates apply; requires rates to be offered regardless of whether the state operates the facility or the facility is leased to or managed by a private entity. Amends TCA Section 11-3-121.

**Senate Bill No. 2903** by Senator Finney.

Hospitals and Healthcare Facilities -- As introduced, defines exclusive provider provision, health insurer, hospital and medical service corporation and insurer; mandates that private act hospitals should not enter into or renew a provider network or contract with a hospital, medical service or health insurer that contains an exclusive provider provision; clarifies that neither the antitrust immunity, reimbursement negotiations, terms and conditions of insurer provider network agreements, nor the discretion of insurers shall be affected; restricts the application exclusively to any agreements between a private act hospital and provider network, where the majority of ownership is not owned by the private act hospital. Amends TCA Title 7, Chapter 57, Part 5.

**Senate Bill No. 2904** by Senator Norris.

Local Education Agencies -- As introduced, authorizes county boards of education, by agreement with city and special school districts, to allow students from such districts to access the county board's cooperative innovative high school program, if the city or special school districts have not established such program. Amends TCA Title 5; Title 6 and Title 49.

**Senate Bill No. 2905** by Senator Norris.

Local Education Agencies -- As introduced, requires the county mayor, county trustee and county board of education to make quarterly settlement of school funds from all sources, including the BEP and other state and federal funds. Amends TCA Title 49, Chapter 2.

**Senate Bill No. 2906** by Senator Norris.

Local Education Agencies -- As introduced, permits local boards of education to enter into continuing contracts governing the use of each other's schools in case of casualty losses or natural disasters. Amends TCA Title 5; Title 6 and Title 49.

**Senate Bill No. 2907** by Senator Norris.

Local Education Agencies -- As introduced, clarifies that unused municipal school buildings may be used by private child care centers and kindergartens for the purpose of providing educational and child care services to the community. Amends TCA Title 5; Title 6; Title 49, Chapter 3; Title 49, Chapter 5; Title 49, Chapter 6; Title 49, Chapter 1 and Title 49, Chapter 2.

**Senate Bill No. 2908** by Senator Norris.

Municipal Government -- As introduced, removes prohibition on creation of municipal school districts. Amends TCA Section 6-58-112.

**Senate Bill No. 2909** by Senator Henry.

Taxes, Gasoline, Petroleum Products -- As introduced, increases tax on gasoline and diesel products one cent a year for the next five years; allocates funds from increase in tax to counties and cities. Amends TCA Title 67, Chapter 3, Part 2 and Title 67, Chapter 3, Part 9.

**Senate Bill No. 2910** by Senator Henry.

Physicians and Surgeons -- As introduced, voids contractual restrictions on a physician's right to practice medicine if such physician is employed independently of a bona fide practice purchase and

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is terminated by an employing entity for reasons other than breach by the employee. Amends TCA Section 63-6-204 and Section 68-11-205.

**Senate Bill No. 2911** by Senator Berke.

Judgments -- As introduced, requires that funds taken from a person who is protected by the federal "Servicemembers Civil Relief Act" in a default judgment be returned to that person upon a finding that the person is so protected. Amends TCA Title 20; Title 25; Title 26; Title 27; Title 29; Title 36; Title 47 and Title 67.

**Senate Bill No. 2912** by Senator Overbey.

Corporations, For-Profit -- As introduced, extends the attorney general and reporter's deadline of objection for any proposed public benefit hospital conveyance transaction from 45 days to 60 days and provides an additional 45-day extension to review and consider the transaction. Amends TCA Title 48, Chapter 68.

**Senate Bill No. 2913** by Senator Overbey.

DUI Offenses -- As introduced, requires judge to order use of functioning ignition interlock system if judge grants application for a restricted license following an implied consent violation for refusing to take alcohol test. Amends TCA Title 55, Chapter 10, Part 4.

**Senate Bill No. 2914** by Senator Overbey.

DUI Offenses -- As introduced, clarifies that a person may be compelled to submit to an alcohol test under the implied consent law by other provisions of law, court order or search warrant. Amends TCA Title 55, Chapter 10, Part 4.

**Senate Bill No. 2915** by Senator Overbey.

DUI Offenses -- As introduced, expands present law to provide that it is not a defense to a violation of the DUI statute that a person is or was lawfully entitled to use an intoxicant, marijuana, controlled substance, or other drug. Amends TCA Title 55, Chapter 10, Part 4.

**Senate Bill No. 2916** by Senator Overbey.

Funeral Directors and Embalmers -- As introduced, establishes priority of right to the disposition of human remains and limits certain liability of funeral establishments and funeral directors. Amends TCA Title 32; Title 47; Title 62, Chapter 5 and Title 68.

**Senate Bill No. 2917** by Senator Overbey.

Taxes, Exemption and Credits -- As introduced, authorizes a 20 percent tax credit for a qualified purchaser of solar panels and related solar energy technology to be installed in a residence or business; allows the credit to be applied against sales and use taxes and franchise and excise taxes. Amends TCA Title 67.

**Senate Bill No. 2918** by Senator Overbey.

Taxes, Sales -- As introduced, permits pharmacist, a pharmacy benefits manager or a covered entity to collect sales tax on diabetic supplies. Amends TCA Title 56 and Title 67.

**Senate Bill No. 2919** by Senator Overbey.

Lottery, Scholarships and Programs -- As introduced, establishes means by which students with documented disabilities who do not meet high school academic qualifications for a HOPE scholarship can attend college, meet college academic requirements and receive the scholarship. Amends TCA Title 49, Chapter 4, Part 9.

**Senate Bill No. 2920** by Senator Overbey.

Correction, Dept. of -- As introduced, directs the board to establish criteria for determining whether to waive the minimum qualification standards to employ a jail administrator, workhouse administrator, jailer, corrections officer or guard in county jail or workhouse; and prohibits waivers for employees dishonorably discharged from the military, suffering from mental illness, convicted of domestic assault or any felony conviction. Amends TCA Section 41-7-106.

**Senate Bill No. 2921** by Senator Overbey.

Mental Illness -- As introduced, authorizes a court to order assisted outpatient treatment as an alternative to inpatient treatment for a person with mental illness. Amends TCA Title 33.

**Senate Bill No. 2922** by Senator Overbey.

Sexual Offenders -- As introduced, provides that if a sexual offender is not incarcerated at the time of sentencing, the offender is to report to a probation officer for the purpose of giving a DNA specimen; provides that cost of sample is to be paid by the offender. Amends TCA Title 40, Chapter 35, Part 3.

**Senate Bill No. 2923** by Senator Overbey.

Workers' Compensation -- As introduced, clarifies that either party in a workers' compensation dispute may bring suit in the county in which the employee resided at the time of the injury, revising current law's requirement that it be the county where the employee resides, when issues remain after the benefit review conference. Amends TCA Title 50.

**Senate Bill No. 2924** by Senator Overbey.

TennCare -- As introduced, decreases the notification timeframe for an enrollee or applicant to notify the bureau of any documentation changes from 30 days to 15. Amends TCA Title 68 and Title 71.

**Senate Bill No. 2925** by Senator Overbey.

Hospitals and Healthcare Facilities -- As introduced, deletes authorization for demonstration project involving nursing homes and disabled volunteers. Amends TCA Title 68.

**Senate Bill No. 2926** by Senator Overbey.

Hospitals and Healthcare Facilities -- As introduced, increases reporting requirements for the Department of Health, healthcare and services facilities, and entities receiving grants from annual to biannual. Amends TCA Title 68.

**Senate Bill No. 2927** by Senator Overbey.

Hospitals and Healthcare Facilities -- As introduced, deletes the requirement that recommendations regarding public needs allowance to the General Welfare, Health and Human Resources Committee of the Senate and to the Health and Human Resources Committee of the House be received no later than the second Tuesday in January, 2010. Amends TCA Title 68 and Title 71.

**Senate Bill No. 2928** by Senator Overbey.

Welfare -- As introduced, establishes that the final study of medical assistance program and any participating managed care organizations be reported to the Finance, Ways and Means Committees of the Senate and the House, the office of legislative budget analysis and the Fiscal Review Committee on or before April 1 of each year, instead of April 15. Amends TCA Title 71.

**Senate Bill No. 2929** by Senator Overbey.

Welfare -- As introduced, specifies that the final study of medical assistance program and any participating managed care organizations be reported to the Finance, Ways and Means

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Committees of the Senate and the House, the office of legislative budget analysis and the Fiscal Review Committee on or before April 1 of each year, instead of April 15. Amends TCA Title 71.

**Senate Bill No. 2930** by Senator Overbey.

Hospitals and Healthcare Facilities -- As introduced, provides for a five percent instead of 10 percent reduction of penalty when deficient nursing home pays the penalty on or before the due date. Amends TCA Title 68 and Title 71.

**Senate Bill No. 2931** by Senator Overbey.

Uniform Commercial Code -- As introduced, revises provisions of the Uniform Commercial Code. Amends TCA Title 47, Chapter 1; Title 47, Chapter 2; Title 47, Chapter 2A and Title 47, Chapter 9.

**Senate Bill No. 2932** by Senator Norris.

Election Laws -- As introduced, requires the coordinator of elections to file a report with the State and Local Government Committees and speakers of each house no later than February 15th of each odd-numbered year detailing the success or failure of a minor party in receiving recognition as a recognized minor party during the previous election cycle. Amends TCA Title 2.

**Senate Bill No. 2933** by Senator Norris.

Real Property -- As introduced, requires municipalities to report owner and address of unfit, blighted and deteriorated properties to the secretary of state for publication on secretary's Web site until such condition is cured. Amends TCA Title 13.

**Senate Bill No. 2934** by Senator Norris.

Criminal Offenses -- As introduced, criminalizes photographing a person without consent and with the knowledge that the person is in a private place or has a reasonable expectation of privacy; enhances the fine associated with false imprisonment, assault, criminal trespass and trespass by motor vehicle when those crimes are committed with the purpose of obtaining a photograph in violation of the new crime. Amends TCA Title 20; Title 29; Title 39 and Title 40.

**Senate Bill No. 2935** by Senator Norris.

Taxes, Ad Valorem -- As introduced, punishes by fine only, the Class C misdemeanor offense for failure to attend when summoned by the comptroller to provide books and records. Amends TCA Title 67.

**Senate Bill No. 2936** by Senator Norris.

General Assembly -- As introduced, reduces from 12 to 10 the number of months that a former member's legislative email will be forwarded to a private email account on request. Amends TCA Title 3.

**Senate Bill No. 2937** by Senator Norris.

Clerks, Court -- As introduced, increases from 90 days to 120 days the notice period that clerks must provide to the state librarian and archivist before destroying books or records, in order that such documents may be examined for historical value. Amends TCA Title 18.

**Senate Bill No. 2938** by Senator Norris.

Child Custody and Support -- As introduced, increases from \$400 to \$450 the penalty for conspiring not to report a newly hired employee to the Department of Human Services for purposes of checking for child support arrearages and establishing paternity. Amends TCA Title 36.

**Senate Bill No. 2939** by Senator Norris.

Taxes, Exemption and Credits -- As introduced, requires the Film, Entertainment and Music Commission to notify any member of the general assembly who requests notification of a proposed production activity in the member's district; allows a county to qualify as an eligible enhancement county during a 36-month period instead of 24-month period for purposes of the job tax credit. Amends TCA Title 4, Chapter 3, Part 49; Title 4, Chapter 3, Part 50; Title 4, Chapter 3, Part 7; Section 67-4-2109 and Title 67, Chapter 6.

**Senate Bill No. 2940** by Senator Norris.

Insurance Companies, Agents, Brokers, Policies -- As introduced, allows insurance companies to offer preference or distinction in property, marine, casualty, or surety insurance as to form or policy, certificate, premium, rate, benefits, or conditions of insurance, based upon membership, nonmembership, or employment of any person by or in certain groups. Amends TCA Title 56, Chapter 8, Part 1.

**Senate Bill No. 2941** by Senator Campfield.

Firearms and Ammunition -- As introduced, permits employees with valid handgun carry permits to store firearm in employer's public access parking lot provided it is in a locked vehicle and in a glove box or compartment not visible from outside the vehicle; provides employers with ability to prohibit firearms in employer parking lots in some circumstances. Amends TCA Title 39, Chapter 17, Part 13.

**Senate Bill No. 2942** by Senators Campfield and Ketron.

Judges and Chancellors -- As introduced, allows a person to carry a firearm during a judicial proceeding if the person is a judge, has a handgun carry permit and only carries the gun concealed while engaged in judicial duties. Amends TCA Section 39-17-1306.

**Senate Bill No. 2943** by Senator Norris.

Insurance, Health, Accident -- As introduced, states that coverage made available in plans under the "Memphis Plan Act of 1991" shall constitute minimum essential health coverage for purposes of compliance with certain federal minimum coverage requirements. Amends TCA Title 56, Chapter 7.

**Senate Bill No. 2944** by Senator Norris.

Housing -- As introduced, exempts certain residential real estate held by LLCs and limited partnerships as extended low-income housing commitments from property taxes. Amends TCA Title 67.

**Senate Bill No. 2945** by Senator Norris.

Telecommunications -- As introduced, requires the chair of the Commerce, Labor and Agriculture Committee of the Senate and the chair of the Commerce Committee of the House to invite and compile comments from members of the telecommunications industry concerning the regulatory actions of the Tennessee Regulatory Authority. Amends TCA Title 65.

**Senate Bill No. 2946** by Senator Norris.

Tennessee Higher Education Commission -- As introduced, requires a public hearing on any rule or regulation proposed by THEC prior to the rule or regulation becoming effective and requires any affected institution be given notice of the hearing and an opportunity to present evidence to the commission. Amends TCA Section 49-7-2005.

**Senate Bill No. 2947** by Senator Faulk.

General Assembly -- As introduced, limits general assembly members' terms to 12 years in the House and 12 years in the Senate. Amends TCA Title 3, Chapter 1, Part 1.

**Senate Bill No. 2948** by Senator Kelsey.

Probate Law -- As introduced, revises and clarifies various provisions of law related to probate matters. Amends TCA Title 8; Title 29; Title 30; Title 32; Title 33; Title 35 and Title 56.

**Senate Bill No. 2949** by Senator Kelsey.

Libraries -- As introduced, authorizes a city in a county not participating in a region to join the state regional system as related to state purchasing contracts with approval by the secretary of state. Amends TCA Title 10, Chapter 5.

**Senate Bill No. 2950** by Senator Kelsey.

Motor Vehicles -- As introduced, prevents car dealerships from being held vicariously liable when loaning a vehicle to a customer with proof of insurance, except in the case of gross negligence. Amends TCA Title 55.

**Senate Bill No. 2951** by Senator Tate.

Professions and Occupations -- As introduced, adds a reference for certification of locksmiths to the most recent and recognized version of the American Locksmith of America Certification. Amends TCA Title 62, Chapter 11, Part 1.

**Senate Bill No. 2952** by Senator Barnes.

Education -- As introduced, requires the Department of Education to provide funding to certain entities that assist students in the custody of the Department of Children's Services in obtaining a GED. Amends TCA Title 4, Chapter 3, Part 14 and Title 49.

**Senate Bill No. 2953** by Senator Barnes.

Education -- As introduced, permits state appropriations or state funds to be made to the directors of schools association. Amends TCA Title 49, Chapter 2, Part 21.

**Senate Bill No. 2954** by Senator Barnes.

Education -- As introduced, requires the Tennessee organization of school superintendents and the Tennessee school boards association to collaborate to set and achieve goals related to the general improvement of education in the state. Amends TCA Section 49-2-2001.

**Senate Bill No. 2955** by Senator Barnes.

Special License Plates -- As introduced, authorizes issuance of special license plates for honorably discharged Iraqi and Afghanistan veterans on a revenue neutral basis. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 2956** by Senator Barnes.

Courts, Juvenile -- As introduced, makes various changes to expunction of court files and records in juvenile court cases, allows unruly juveniles to petition for expunction of court files and records, and extends expunction to other scientific methods of establishing identity. Amends TCA Section 37-1-155; Section 37-1-153 and Section 40-32-101.

**Senate Bill No. 2957** by Senator Barnes.

Children -- As introduced, states that training for guardians ad litem shall include early childhood, child and adolescent development provided by a qualified professional; requires permanency hearings for children in foster care to be held within 12 months of previous permanency hearing. Amends TCA Section 37-1-149; Section 37-2-409 and Section 37-1-129.



**Senate Bill No. 2958** by Senator Barnes.

Children -- As introduced, requires petitions in juvenile court cases to list the legal parents and any persons alleged to be the biological father of the child; requires a copy of the summons in such cases be sent to the legal parents and any persons alleged to be the biological father of the child. Amends TCA Section 37-1-121 and Section 37-1-120.

**Senate Bill No. 2959** by Senator Yager.

Driver Licenses -- As introduced, exempts persons who canceled their social security numbers from furnishing such information to obtain a driver license. Amends TCA Section 55-50-321.

**Senate Bill No. 2960** by Senator Yager.

Revenue -- As introduced, specifies proper notice be given prior to inspecting a taxpayer's books and records concerning certain privilege taxes. Amends TCA Title 67, Chapter 4, Part 23.

**Senate Bill No. 2961** by Senator Yager.

Registers of Deeds -- As introduced, allows the name and address of the person that prepared an instrument that conveys or encumbers the title to real estate or personal property to appear anywhere within the instrument; revises other registration provisions. Amends TCA Section 66-24-115.

**Senate Bill No. 2962** by Senator Yager.

Taxes, Privilege -- As introduced, reduces the rate of assessment for the realty recordation tax. Amends TCA Section 67-4-409.

**Senate Bill No. 2963** by Senator Yager.

Public Records -- As introduced, specifically includes provider-specific prescribing data within the confidentiality granted to medical records. Amends TCA Title 63, Chapter 2.

**Senate Bill No. 2964** by Senator Yager.

Unemployment Compensation -- As introduced, includes service performed by election officials and election workers receiving over \$1,000 in remuneration in definition of excluded service. Amends TCA Title 50, Chapter 7.

**Senate Bill No. 2965** by Senator Tracy.

Criminal Offenses -- As introduced, prohibits unauthorized use of governmental seals, emblems or insignia; permits secretary of state and other officials to authorize the use of seals, emblems or insignia in certain circumstances. Amends TCA Title 4; Title 8; Title 12 and Title 39, Chapter 16.

**Senate Bill No. 2966** by Senator Tracy.

Education -- As introduced, limits virtual school enrollment to students of the LEA creating the virtual school; permits LEAs to contract with each other to offer joint virtual education programs. Amends TCA Title 49, Chapter 16.

**Senate Bill No. 2967** by Senator Tracy.

Local Education Agencies -- As introduced, requires local board of education to approve budget for operation of county schools after the county legislative body's approval in accordance with Local Option Budgeting Law of 1993. Amends TCA Section 49-2-101.

**Senate Bill No. 2968** by Senator Tracy.

Motor Vehicles -- As introduced, authorizes the Department of Safety to charge for copies of motor vehicle records under the "Uniform Motor Vehicles Records Disclosure Act". Amends TCA Title 55, Chapter 25.

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**Senate Bill No. 2969** by Senator Tracy.

Highways, Roads and Bridges -- As introduced, requires the chief administrative officer to file an inventory of all equipment and materials concerning road construction with the county governing body within 75 days after taking office instead of 60 days. Amends TCA Title 54.

**Senate Bill No. 2970** by Senator Tracy.

Libraries -- As introduced, requires CTAS to conduct a study of county librarians' salaries in this state as compared to those in states bordering this state; to recommend an appropriate minimum pay scale, if deemed necessary; and to submit the study to the State and Local Government Committees on or before January 1, 2013. Amends TCA Title 5; Title 6; Title 7; Title 8 and Title 10.

**Senate Bill No. 2971** by Senator Tracy.

Education -- As introduced, allows retired teachers' children who are under 24 years of age to receive a 25 percent discount at any state-operated institution of higher learning. Amends TCA Title 49, Chapter 7.

**Senate Bill No. 2972** by Senator Barnes.

Driver Licenses -- As introduced, specifies that the letter from a physician verifying a person's disability must set forth the nature of the disability, when applying for a photo identification license. Amends TCA Title 55, Chapter 50, Part 3 and Title 55, Chapter 51, Part 1.

**Senate Bill No. 2973** by Senator Barnes.

Criminal Offenses -- As introduced, extends time period that timber purchaser must retain bill of sale from one year to 16 months. Amends TCA Title 39.

**Senate Bill No. 2974** by Senator Barnes.

Forfeiture of Assets -- As introduced, changes number of days within which a seizing agency must apply for a forfeiture warrant after seizing property from five to seven days. Amends TCA Title 39.

**Senate Bill No. 2975** by Senator Barnes.

Criminal Offenses -- As introduced, authorizes governmental entities to include language stating maximum penalty for offense of theft in signs warning public that theft of material from stone walls is theft. Amends TCA Title 39.

**Senate Bill No. 2976** by Senator Burks.

State Symbols -- As introduced, adds Echinacea Tennesseeensis as a state wildflower, along with the passion flower. Amends TCA Section 4-1-306.

**Senate Bill No. 2977** by Senator Burks.

Taxes, Sales -- As introduced, exempts the retail sale of the service of bathing animals from the sales tax imposed on laundering or dry cleaning of tangible personal property. Amends TCA Title 67.

**Senate Bill No. 2978** by Senator Burks.

Special License Plates -- As introduced, authorizes each type of new specialty earmarked plates to be personalized so long as no duplicate registration numbers are issued to the same type of plate classification. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 2979** by Senator Burks.

Insurance Companies, Agents, Brokers, Policies -- As introduced, requires any contract, plan, or policy of insurance issued or renewed on or after July 1, 2012, that provides coverage for surgical

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first assisting benefits or services be construed as providing coverage for a registered nurse first assistant. Amends TCA Title 56 and Title 63.

**Senate Bill No. 2980** by Senator Burks.

Insurance, Health, Accident -- As introduced, requires individual and group health insurance policies to cover neuropsychological testing for children who have been diagnosed with cancer who have undergone radiation or chemotherapy for cancer. Amends TCA Title 56 and Title 71.

**Senate Bill No. 2981** by Senator Burks.

Child Abuse -- As introduced, punishes the failure to protect a child from severe child abuse in the same manner as if the offender committed the severe child abuse. Amends TCA Title 37; Title 39 and Title 40.

**Senate Bill No. 2982** by Senator Burks.

Basic Education Program (BEP) -- As introduced, allows LEAs the option of using BEP funds for a building manager in lieu of an assistant principal. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 3.

**Senate Bill No. 2983** by Senator Burks.

Pensions and Retirement Benefits -- As introduced, authorizes a person who has at least 13 years creditable service in the TCRS and seven years creditable service in the optional retirement plan for employment at Tennessee Tech University during a specific period of time to have the option of transferring membership from the optional retirement program to the TCRS. Amends TCA Title 8, Chapter 35, Part 4.

**Senate Bill No. 2984** by Senator Burks.

Wildlife Resources Commission -- As introduced, authorizes county legislative bodies to opt in to state law prohibiting the regulation of wild hog hunting on private property by the Wildlife Resources Commission. Amends TCA Title 70.

**Senate Bill No. 2985** by Senator Burks.

Pensions and Retirement Benefits -- As introduced, changes the eligible creditable retirement date to 25 years of service instead of 30 years for dispatchers of emergency communications districts of political subdivisions that have set a mandatory retirement age for police officers and firefighters. Amends TCA Title 7, Chapter 86 and Title 8, Chapter 36, Part 2.

**Senate Bill No. 2986** by Senator Burks.

Education -- As introduced, requires virtual schools and education programs to maintain teacher-pupil ratios set by the State Board of Education and to provide the same length of time for learning opportunities as required for other schools, but allow a student to move at the student's own pace; allows technology access to be provided through computer labs; makes an online course a requirement for graduation from high school beginning with the students entering ninth grade in the 2013-2014 school year. Amends TCA Title 49.

**Senate Bill No. 2987** by Senator Burks.

Annexation -- As introduced, changes time when Department of Revenue is notified of an annexation from prior to the annexation becoming effective to upon the annexation becoming effective. Amends TCA Section 6-51-115.

**Senate Bill No. 2988** by Senator Burks.

Criminal Procedure -- As introduced, allows a judge to sentence a first-time offender of domestic assault to attend a 24-week intervention program to satisfy an alternative sentencing program provided the defendant does not have prior domestic or sexual offense convictions in this state or any other state. Amends TCA Title 39 and Title 40.

**Senate Bill No. 2989** by Senator Campfield.

Indigents -- As introduced, prohibits defendants who make an appearance bond from being considered indigent for purposes of a court-appointed attorney. Amends TCA Title 8, Chapter 14; Title 16; Title 37, Chapter 1; Title 39; Title 40 and Title 55, Chapter 10, Part 4.

**Senate Bill No. 2990** by Senator Faulk.

Immigration -- As introduced, clarifies that a tax form, as such term is used in the part, means any form issued by the United States Internal Revenue Service. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 12; Title 39; Title 40 and Title 50.

**Senate Bill No. 2991** by Senator Faulk.

Criminal Procedure -- As introduced, requires that a person give identification when requested by law enforcement that are enforcing criminal laws. Amends TCA Title 5; Title 6; Title 7; Title 39 and Title 40.

**Senate Bill No. 2992** by Senator Faulk.

Employees, Employers -- As introduced, prohibits employment discrimination based on an applicant or current employee's ownership, storage, transportation or possession of a firearm that is otherwise in accordance with state and federal law. Amends TCA Title 39; Title 40 and Title 50.

**Senate Bill No. 2993** by Senator Marrero.

Banks and Financial Institutions -- As introduced, requires persons licensed under the "Deferred Presentment Services Act" to file annual reports of certain information with the Commissioner of Financial Institutions by October 1 of each year instead of September 1.

**Senate Bill No. 2994** by Senator Marrero.

Banks and Financial Institutions -- As introduced, increases from \$1,000 to \$2,000 the amount of civil penalty that the Commissioner of Financial Institutions may assess for each transaction in violation, or each day that a violation occurs, of the "Deferred Presentment Services Act". Amends TCA.

**Senate Bill No. 2995** by Senator Marrero.

Banks and Financial Institutions -- As introduced, increases from \$500 to \$1,000 the license fee for any person engaging in the business of deferred presentment services in this state.

**Senate Bill No. 2996** by Senator Marrero.

Employees, Employers -- As introduced, prohibits public and private employers from inquiring into a prospective employee's criminal background on an initial application for employment. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 13; Title 47; Title 49; Title 50 and Title 71.

**Senate Bill No. 2997** by Senator Marrero.

Sexual Offenders -- As introduced, adds the offense of promoting prostitution to the list of sexual offenses requiring registration under the sex offender registry and adds second offense promoting prostitution to the list of violent sexual offenses. Amends TCA Title 40, Chapter 39, Part 2.

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**Senate Bill No. 2998** by Senator Marrero.

Election Laws -- As introduced, redefines an infamous crime for purposes of retaining the right of suffrage; authorizes incarcerated felons to vote except persons convicted of voter fraud, treason, first degree murder, or aggravated rape. Amends TCA Title 40, Chapter 20, Part 1 and Title 40, Chapter 29.

**Senate Bill No. 2999** by Senator Marrero.

Special License Plates -- As introduced, authorizes until July 1, 2013, for sufficient number of applicants for Sigma Gamma Rho license plates. Amends TCA Section 55-4-261.

**Senate Bill No. 3000** by Senator Marrero.

Campaigns and Campaign Finance -- As introduced, prohibits a person bidding on or awarded a state contract from making contributions to members of the general assembly or the governor during specified periods of time. Amends TCA Title 2 and Title 12.

**Senate Bill No. 3001** by Senator Marrero.

Education -- As introduced, requires local boards of education to provide payroll deduction options for employee benefits. Amends TCA Title 49, Chapter 2, Part 2.

**Senate Bill No. 3002** by Senator Faulk.

Firearms and Ammunition -- As introduced, prevents employers and landowners from prohibiting individuals licensed to carry from storing guns in locked, personal vehicles. Amends TCA Title 39 and Title 40.

**Senate Bill No. 3003** by Senator Watson.

Drugs, Prescription -- As introduced, requires pharmacists to provide certain prescribed opioid analgesic drugs that incorporate tamper resistance technology. Amends TCA Title 53.

**Senate Bill No. 3004** by Senator Watson.

Criminal Offenses -- As introduced, creates a separate offense for participating in criminal gang activity. Amends TCA Title 39, Chapter 17 and Title 40, Chapter 35.

**Senate Bill No. 3005** by Senator Watson.

Criminal Offenses -- As introduced, includes the commission of or attempt to commit a criminal gang offense within the definition of racketeering activity and enterprise for purposes of the "Racketeer and Corrupt Organization Act (RICO)". Amends TCA Title 39, Chapter 12, Part 2.

**Senate Bill No. 3006** by Senator Watson.

Special License Plates -- As introduced, authorizes issuance of an American Lung Association new specialty earmarked license plate. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 3007** by Senator Massey.

Housing -- As introduced, authorizes new mechanisms for merging or dissolving housing authorities. Amends TCA Title 13, Chapter 20.

**Senate Bill No. 3008** by Senator Massey.

Insurance, Health, Accident -- As introduced, requires health insurance policies to cover communication of mammographic breast density information to patients; requires physicians to communicate mammographic breast density information to patients. Amends TCA Title 56 and Title 63.

**Senate Bill No. 3009** by Senator Massey.

Physicians and Surgeons -- As introduced, requires physicians to communicate certain information about mammographic breast density to patients. Amends TCA Title 63.

**Senate Bill No. 3010** by Senator Massey.

Emergency Communications Districts -- As introduced, authorizes the diversion of harassing non-initialized 911 phone calls to a designated entity. Amends TCA Title 7, Chapter 86, Part 3.

**Senate Bill No. 3011** by Senator Massey.

Health, Dept. of -- As introduced, redefines indigence income, when evaluating statistics and reports submitted to the department on uncompensated care, to an amount that does not exceed 133 percent instead of 100 percent of federal poverty guidelines. Amends TCA Title 68, Chapter 1.

**Senate Bill No. 3012** by Senator Marrero.

Education -- As introduced, removes prohibition on collaborative conferencing concerning payroll deductions for political activities. Amends TCA Title 49, Chapter 5, Part 6.

**Senate Bill No. 3013** by Senator Marrero.

Education -- As introduced, requires each LEA to develop a policy that would require students to complete at least 75 hours of service learning prior to high school graduation. Amends TCA Title 49, Chapter 6.

**Senate Bill No. 3014** by Senator Marrero.

Children -- As introduced, expands the definition of dependent and neglected child to include a child who has contracted a sexually transmitted disease. Amends TCA Title 37, Chapter 1, Part 1.

**Senate Bill No. 3015** by Senator Beavers.

Employees, Employers -- As introduced, requires the Department of Human Services to seek a waiver from the U.S. Department of Agriculture for cardholders' photos to be placed on EBT cards issued pursuant to the food stamp program and to submit implementation and cost information to the general assembly. Amends TCA Title 71, Chapter 5, Part 3.

**Senate Bill No. 3016** by Senator Beavers.

Beer -- As introduced, requires revocation or suspension for at least 60 days of beer sales permit held by any person who is convicted of a drug crime. Amends TCA Title 4; Title 5; Title 6; Title 7; Section 8-21-401; Title 39; Title 40 and Title 57.

**Senate Bill No. 3017** by Senator Beavers.

Tobacco, Tobacco Products -- As introduced, requires the Commissioner of Revenue to revoke the tobacco license of a person convicted of a state drug offense for 60 days and requires the clerk of court to report convictions and pleadings to the commissioner for revocation purposes. Amends TCA Title 39, Chapter 17 and Title 67.

**Senate Bill No. 3018** by Senator Beavers.

Criminal Offenses -- As introduced, implements various procedures concerning controlled substance analogues in the same manner in which those procedures are carried out concerning controlled substances. Amends TCA Title 4; Title 7; Title 8; Title 10; Title 29; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 49; Title 50; Title 53; Title 55; Title 57; Title 62; Title 63; Title 65; Title 67 and Title 68.

**Senate Bill No. 3019** by Senator Campfield.

Employees, Employers -- As introduced, expands categories of employees subject to routine periodic drug testing under the drug free workplace program to include persons who work in safety or security related positions. Amends TCA Title 50, Chapter 9.

**Senate Bill No. 3020** by Senator Campfield.

Unemployment Compensation -- As introduced, requires drug testing of persons filing new claims for unemployment benefits. Amends TCA Title 4 and Title 50.

**Senate Bill No. 3021** by Senator Gresham.

Board of Regents -- As introduced, adds an additional faculty member and student member to the board of regents; makes terms of such members two years and one year as a nonvoting member, one as a voting member; removes a position on the board reserved for a person now deceased. Amends TCA Section 49-8-201(a) and (b).

**Senate Bill No. 3022** by Senator Gresham.

Education, Higher -- As introduced, eliminates certain reporting duties of higher education institutions and governing boards; eliminates requirement that applicants for certain positions in residence halls pay for background checks; requires board of regents employees to receive longevity payments with their regular paychecks. Amends TCA Section 4-22-103; Section 8-23-206; Section 8-44-108(b)(3) and Section 49-7-149.

**Senate Bill No. 3023** by Senator Gresham.

Board of Regents -- As introduced, allows the chancellor of the board of regents to award back pay to a tenured faculty member whose dismissal the chancellor finds was not appropriate. Amends TCA Section 49-8-304.

**Senate Bill No. 3024** by Senator Gresham.

Education, Higher -- As introduced, declares that teacher effect data made available to teacher preparation programs shall not be public records and shall be used only in evaluating the preparation programs. Amends TCA Section 49-1-606.

**Senate Bill No. 3025** by Senator Gresham.

Education -- As introduced, clarifies that public charter schools are public schools for the purposes of reporting pupil attendance and truancy. Amends TCA Title 37 and Title 49.

**Senate Bill No. 3026** by Senator Gresham.

Education -- As introduced, requires a biennial report by the office of research and education accountability on costs of school construction for use by the BEP review committee in considering the capital outlay component of the BEP. Amends TCA Title 5; Title 6; Title 49 and Title 67.

**Senate Bill No. 3027** by Senator Gresham.

Agriculture, Dept. of -- As introduced, redefines purchaser to include any person who buys or receives agriculture commodities; mandates purchasers, subject to the commissioner, to submit the total amount of funds withheld from producers to the department; clarifies how each head of cattle is assessed and submitted to the department for review; empowers the commission to choose the date annual reports of activities are submitted; expands the membership of the Tennessee beef promotion board; and explains that vacancies on the board are filled by nominations from the board of directors of the Tennessee beef council. Amends TCA Title 43, Chapter 29, Part 1.

**Senate Bill No. 3028** by Senator Gresham.

Education -- As introduced, increases the number of days from 150 to 160 per year and from 75 to 80 per semester that a student must be present for classroom instruction for a student's TCAP scores to be attributable to a specific teacher. Amends TCA Title 37 and Title 49.

**Senate Bill No. 3029** by Senator Campfield.

Local Government, General -- As introduced, prohibits impact fees or adequate facilities taxes from being imposed on age-exclusive developments for persons 55 and older if children as permanent residents are also excluded; clarifies present acts imposing impact fees and adequate facilities taxes may be revised to reduce the fee or tax or remove types of property from being subject to such fees or taxes. Amends TCA Section 67-4-2913.

**Senate Bill No. 3030** by Senator Campfield.

Local Education Agencies -- As introduced, provides for re-establishment of elected office of school superintendent for county or city school systems upon two-thirds vote of county or city governing body and approval in an election on the question by the voters; provides for qualifications of candidates; adjusts duties of the local board of education in county or city school systems electing superintendents. Amends TCA Title 49.

**Senate Bill No. 3031** by Senator Campfield.

Eminent Domain -- As introduced, extends notice to property owners of public hearing concerning redevelopment plan from 10 days to 14 days. Amends TCA Title 7, Chapter 31; Title 13, Chapter 20 and Title 29.

**Senate Bill No. 3032** by Senator Marrero.

Children's Services, Dept. of -- As introduced, adds additional language to the department's mission/purpose. Amends TCA Section 37-5-102.

**Senate Bill No. 3033** by Senator Marrero.

Adoption -- As introduced, grants adoption preference to a relative over a foster parent where a child has had substantial contact and interaction with that relative. Amends TCA Title 36, Chapter 1 and Title 37.

**Senate Bill No. 3034** by Senator Marrero.

Criminal Procedure -- As introduced, prohibits defendants charged with domestic assault from pleading to a lesser offense. Amends TCA Title 38; Title 39 and Title 40.

**Senate Bill No. 3035** by Senator Marrero.

Criminal Offenses -- As introduced, enhances the financial penalty for violating an order of protection. Amends TCA Title 36; Title 39 and Title 40.

**Senate Bill No. 3036** by Senator Marrero.

Criminal Offenses -- As introduced, punishes domestic assault as a Class A misdemeanor. Amends TCA Title 4, Chapter 3; Title 16, Chapter 15; Title 29, Chapter 13; Title 36, Chapter 3; Title 39 and Title 40, Chapter 35.

**Senate Bill No. 3037** by Senator Watson.

Teachers, Principals and School Personnel -- As introduced, provides for mutual consent placement of teachers and alternate options for teachers not selected for positions through mutual consent. Amends TCA Title 49.



**Senate Bill No. 3038** by Senator McNally.

Courts -- As introduced, requires that any proof of tolls incurred by jurors must include receipts. Amends TCA Title 8, Chapter 26, Part 1; Title 16, Chapter 4, Part 1; Title 16, Chapter 3, Part 1 and Title 22, Chapter 4, Part 1.

**Senate Bill No. 3039** by Senator McNally.

Public Funds and Financing -- As introduced, authorizes the Commissioner of Finance and Administration to adopt policies for writing off or cancelling any checks drawn on the state treasury that have not been redeemed. Amends TCA Title 4; Title 9 and Title 66, Chapter 29.

**Senate Bill No. 3040** by Senator McNally.

Real Estate Agents and Brokers -- As introduced, sets a 10-day period in which notice must be provided by a person seeking to collect a judgment out of funds held in the real estate education and recovery account. Amends TCA Title 4; Title 62, Chapter 13 and Title 66.

**Senate Bill No. 3041** by Senator McNally.

Professions and Occupations -- As introduced, requires that any governmental employee, on whose behalf the government chooses to pay the professional privilege tax, use their certification or licensure in connection with their employment. Amends TCA Title 67, Chapter 4, Part 17.

**Senate Bill No. 3042** by Senator McNally.

Public Records -- As introduced, defines "state law" to be Tennessee statutes, rules and case law for purposes of the provision in the public records law exempting any records from disclosure that are confidential under "state law". Amends TCA Title 10, Chapter 7, Part 5.

**Senate Bill No. 3043** by Senator McNally.

Finance and Administration, Dept. of -- As introduced, allows the commissioner to develop procedures setting forth circumstances under which direct deposit of state employees' compensation may be required. Amends TCA Title 4, Chapter 3, Part 1; Title 4, Chapter 3, Part 10 and Title 8.

**Senate Bill No. 3044** by Senator McNally.

Education -- As introduced, authorizes local boards of education to receive federal or private grants and to expend grant funds for purposes of the grant without seeking approval of or appropriation by the local legislative body; unless the grant requires matching funds. Amends TCA Title 49, Chapter 2.

**Senate Bill No. 3045** by Senator McNally.

Teachers, Principals and School Personnel -- As introduced, replaces obsolete language concerning tenure with current terminology. Amends TCA Title 49.

**Senate Bill No. 3046** by Senator Kelsey.

Criminal Offenses -- As introduced, creates Class C misdemeanor of a law enforcement officer unlawfully installing a tracking device on a person or object and establishes a procedure whereby the district attorney can apply to a court for permission to install a tracking device for a specified period for specified offenses. Amends TCA Title 39, Chapter 13, Part 6 and Title 40, Chapter 6.

**Senate Bill No. 3047** by Senator Kelsey.

Search & Seizure -- As introduced, prohibits the use of unmanned aircraft or similar structures for the purpose of conducting investigations or surveillance where the investigating agency does not have a search warrant for the property under surveillance. Amends TCA Title 39 and Title 40.

**Senate Bill No. 3048** by Senator Kelsey.

Education -- As introduced, broadens the purpose of certain statutory restrictions concerning who may enter school grounds during school hours. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5 and Title 49, Chapter 6.

**Senate Bill No. 3049** by Senator Kelsey.

Professions and Occupations -- As introduced, repeals licensure for locksmiths. Amends TCA Title 62, Chapter 11.

**Senate Bill No. 3050** by Senator Kelsey.

Cosmetology -- As introduced, repeals requirement that manicurists be licensed. Amends TCA Title 62, Chapter 4.

**Senate Bill No. 3051** by Senator Tracy.

Controlled Substances -- As introduced, changes the reporting deadlines for entries to the controlled substance database from at least monthly to at least every two weeks. Amends TCA Title 53, Chapter 10.

**Senate Bill No. 3052** by Senator Tracy.

Child Custody and Support -- As introduced, requires an LEA to provide proof of a child's graduation from high school to certain persons within 15 business days, instead of the current 20, of the persons' written request for such proof. Amends TCA Title 36, Chapter 6.

**Senate Bill No. 3053** by Senator Tracy.

Civil Procedure -- As introduced, prohibits a court clerk from accepting the filing of another claim by a litigant who owes fees, taxes, costs and other expenses unless the litigant seeks injunctive relief to prevent irreparable injury or serious physical harm to the litigant. Amends TCA Title 16; Title 18; Title 20 and Title 28.

**Senate Bill No. 3054** by Senator Tracy.

Immigration -- As introduced, requires certain jails and detention facilities to report annually to the Department of Correction the number of persons arrested, booked or confined who are not U.S. citizens or whose citizenship status cannot be determined; requires the department to report annually such information to the House and Senate Speakers and Judiciary Committees. Amends TCA Title 4; Title 40 and Title 41.

**Senate Bill No. 3055** by Senator Tracy.

Immigration -- As introduced, clarifies that a tax form, as such term is used in the part, means any form issued by the United States internal revenue service. Amends TCA Title 50, Chapter 1, Part 7.

**Senate Bill No. 3056** by Senator Overbey.

Teachers, Principals and School Personnel -- As introduced, creates a state bonus for teachers scoring 3 or higher on their evaluations. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 5.

**Senate Bill No. 3057** by Senator Overbey.

Gas, Petroleum Products, Volatile Oils -- As introduced, requires a dealer that engages in the liquefied petroleum gas business to submit evidence that the storage of flammable, combustible or explosive material shall not present serious health, safety and fire risks to structures within 1,000 feet of any storage facility owned by the dealer. Amends TCA Title 68, Chapter 135, Part 1.

**Senate Bill No. 3058** by Senator Overbey.

Taxes, Exemption and Credits -- As introduced, exempts income derived from stocks and bonds of certain Subchapter S corporations from the Hall income tax. Amends TCA Title 67, Chapter 2.

**Senate Bill No. 3059** by Senator Burks.

County Officers -- As introduced, removes provision that permits clerks, registers of deeds, trustees and sheriffs to retain payments made for special services as a trustee, receiver or special commissioner. Amends TCA Title 8, Chapter 22, Part 1.

**Senate Bill No. 3060** by Senator Summerville.

Education -- As introduced, prohibits LEAs, school administrators and educators from taking action that infringes on or waives first amendment rights of school personnel or students without written consent of those who would be affected. Amends TCA Title 49.

**Senate Bill No. 3061** by Senator Yager.

Emergency Communications Districts -- As introduced, defines "Public Safety Answering Point" or "PSAP" to mean a facility that receives 911 calls and routes them to emergency services personnel. Amends TCA Section 7-86-103.

**Senate Bill No. 3062** by Senator Barnes.

Special License Plates -- As introduced, authorizes issuance of Teamsters cultural license plates. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 3063** by Senator Barnes.

Transportation, Dept. of -- As introduced, allows 40 days, instead of 30, to correct an unlawful sign. Amends TCA Title 54, Chapter 21.

**Senate Bill No. 3064** by Senator Yager.

Pensions and Retirement Benefits -- As introduced, includes years of service to a political subdivision participating in the consolidated retirement system for which credit was established in the calculation of years of service for premium payment in retiree group insurance plan. Amends TCA Title 8, Chapter 27.

**Senate Bill No. 3065** by Senator Yager.

Naming and Designating -- As introduced, names fieldhouse at York Institute in honor of Charles Joseph Vaughn.

**Senate Bill No. 3066** by Senator Yager.

Election Laws -- As introduced, requires the coordinator of elections, in conjunction with the Commissioner of Safety, to equip a mobile unit or units to travel throughout the state to issue photo identifications to those meeting the requirements to obtain a photo identification free of charge to vote. Amends TCA Section 2-11-202; Section 2-7-112 and Section 55-50-336.

**Senate Bill No. 3067** by Senator Johnson.

Gas, Petroleum Products, Volatile Oils -- As introduced, extends from 20 to 30 days the period of time to file a written notice of appeal before a citation or assessment becomes final for a violation of the rules and regulations promulgated by the oil and gas board. Amends TCA Title 60.

**Senate Bill No. 3068** by Senator Johnson.

Parks, Natural Areas Preservation -- As introduced, increases from two to three years time after designation into the system that the Commissioner of Environment and Conservation has completed

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a comprehensive plan of development and protection and begun the process of acquisition. Amends TCA Title 11 and Title 60.

**Senate Bill No. 3069** by Senator Johnson.

Banks and Financial Institutions -- As introduced, authorizes members of boards of directors of credit unions to be compensated for services rendered, subject to review by the Commissioner of Financial Institutions. Amends TCA Title 45, Chapter 4, Part 2.

**Senate Bill No. 3070** by Senator Johnson.

Business Organizations -- As introduced, revises the "Tennessee Business Corporation Act". Amends TCA Title 48.

**Senate Bill No. 3071** by Senator Johnson.

Special License Plates -- As introduced, authorizes issuance of Autism Awareness new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to three autism support organizations. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 3072** by Senator Johnson.

Taxes, Real Property -- As introduced, increases time in which petition challenging determination of capitalization rate, income estimates or land values must be filed with state board of equalization from 20 to 30 days prior to publication of notice of the availability of the proposed use value schedule in a newspaper of general circulation within the county. Amends TCA Title 66, Chapter 9, Part 3 and Title 67, Chapter 5, Part 10.

**Senate Bill No. 3073** by Senator Johnson.

Consumer Protection -- As introduced, authorizes the Commissioner of Financial Institutions to enforce Title 47 against any entity regulated by the commissioner. Amends TCA Title 45 and Title 47.

**Senate Bill No. 3074** by Senator Johnson.

Lottery, Charitable -- As introduced, authorizes formation of a broad-based school foundation, subject to certain conditions, by a school or its administrators or supporters; authorizes school foundations, although not in existence for at least five years, to be 501(c)(3) organizations for purposes of the Tennessee Charitable Gaming Implementation Law; removes requirement that 501(c)(3) organizations wanting to conduct an annual event to raise no more than \$5,000 be in existence for five years. Amends TCA Title 3, Chapter 17; Title 49, Chapter 2 and Title 49, Chapter 3.

**Senate Bill No. 3075** by Senator Johnson.

Public Utilities -- As introduced, changes from February to March the month in which an annual report must be filed by the Tennessee Regulatory Authority concerning all matters relating to its office. Amends TCA Title 65.

**Senate Bill No. 3076** by Senator Johnson.

Criminal Offenses -- As introduced, specifies that a public place includes places that an ordinary observer would see while located in a public place. Amends TCA Title 39 and Title 40.

**Senate Bill No. 3077** by Senator Yager.

Motor Vehicles -- As introduced, revises information that must be filed when motor vehicles are sold to a motor vehicle dismantler and recycler; requires the Department of Safety to provide a means for

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statements to be filed electronically; makes falsification of required statements with intent to defraud, the offense of forgery. Amends TCA Title 55, Chapter 3, Part 2.

**Senate Bill No. 3078** by Senator Yager.

Environment and Conservation, Dept. of -- As introduced, expands department reporting requirements on the hazardous waste regulatory program. Amends TCA Title 68, Chapter 212.

**Senate Bill No. 3079** by Senator Yager.

Zoning -- As introduced, establishes reclamation regulation under mineral surface mining law and not local zoning regulations as law governing specified reclamation activities. Amends TCA Title 13, Chapter 7 and Title 59, Chapter 8, Part 2.

**Senate Bill No. 3080** by Senator Yager.

Real Property -- As introduced, authorizes any town, city, county, county with a metropolitan government, the state or any not-for-profit to purchase, preserve, and sell development rights. Amends TCA Section 13-7-101 and Section 13-7-201.

**Senate Bill No. 3081** by Senator Yager.

Taxes, Ad Valorem -- As introduced, includes certain reusable materials as finished goods or manufactured articles in the hands of the manufacturer for purposes of property taxation. Amends TCA Title 67, Chapter 5, Part 2.

**Senate Bill No. 3082** by Senator Berke.

Veterans -- As introduced, establishes a veteran-owned business assistance program to be administered by the Department of Economic and Community Development. Amends TCA Title 4, Chapter 3, Part 7; Title 48, Chapter 102, Part 4 and Title 58.

**Senate Bill No. 3083** by Senator Gresham.

Criminal Offenses -- As introduced, revokes the beer permit and license to sell tobacco products and prohibits renewal of lottery retail contract for a period of one year if the owner or employee of a retail establishment is convicted of selling certain synthetic, analogue or imitation controlled substances. Amends TCA Title 4, Chapter 51; Title 39, Chapter 17, Part 4; Title 57, Chapter 5, Part 1 and Title 67, Chapter 4, Part 10.

**Senate Bill No. 3084** by Senator Berke.

Remedies and Special Proceedings -- As introduced, removes requirement of separately considering the vicarious liability for noneconomic damages of a defendant and the liability of an agent, employee or representative of the defendant. Amends TCA Title 29, Chapter 39.

**Senate Bill No. 3085** by Senator Berke.

Motor Vehicles -- As introduced, requires the Commissioner of Revenue to notify any organization sponsoring a specialty license plate when such plate has failed to meet the minimum issuance requirements. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 3086** by Senator Berke.

Education -- As introduced, requires the Tennessee foreign language institute's annual report to include information on any monies received from private donors or government sources and schools with which the institute has collaborated or contracted. Amends TCA Title 49.

**Senate Bill No. 3087** by Senator Berke.

Education -- As introduced, deletes reference to the Select Oversight Committee on Education. Amends TCA Title 49.

**Senate Bill No. 3088** by Senator Berke.

Education -- As introduced, requires the accounting manuals provided by the boards of education covering the various phases of student body activity funds and other internal school funds to be published on the Internet for viewing by students, parents, and faculty. Amends TCA Title 49.

**Senate Bill No. 3089** by Senator Berke.

Election Laws -- As introduced, exempts a person 60 years of age and older who does not have a valid driver license with a photo from the requirements of showing a photo identification when signing an application for ballot to vote. Amends TCA Title 2, Chapter 7, Part 1.

**Senate Bill No. 3090** by Senator Herron.

Juries and Jurors -- As introduced, provides individuals age 65 and older with the option to decline jury duty service. Amends TCA Title 22.

**Senate Bill No. 3091** by Senator Herron.

Taxes, Exemption and Credits -- As introduced, changes the annual sales tax holiday from the first weekend of August to the third weekend of July. Amends TCA Title 67, Chapter 6, Part 3.

**Senate Bill No. 3092** by Senator Herron.

Criminal Offenses -- As introduced, prohibits business owners from knowingly permitting minors to engage in sexual activity on the premises of the business. Amends TCA Title 39; Title 40; Title 67; Title 68 and Title 71.

**Senate Bill No. 3093** by Senator Norris.

Criminal Offenses -- As introduced, specifies that painting and striping motor vehicle to appear to be a law enforcement vehicle, when it is not in fact a law enforcement vehicle, with intent to cause another to believe the vehicle is a law enforcement vehicle constitutes Class A misdemeanor offense of criminal impersonation. Amends TCA Section 8-10-120; Section 8-8-219; Title 38; Title 39 and Title 55.

**Senate Bill No. 3094** by Senator Norris.

Highway Signs -- As introduced, designates segment of State Route 385 in Shelby and Fayette Counties as "Governor Winfield Dunn Parkway".

**Senate Bill No. 3095** by Senator Norris.

Advertising -- As introduced, clarifies that owners, publishers, operators and employees of a publisher, television station or radio station are not liable for distributing false or misleading advertising matter regarding a mortgage loan unless they know that the matter is false or misleading. Amends TCA Title 45, Chapter 1; Title 45, Chapter 13 and Title 45, Chapter 5.

**Senate Bill No. 3096** by Senator Norris.

Boards and Commissions -- As introduced, requires each speaker appointment for the Tennessee criminal justice coordinating council to be from the respective State and Local Government Committee. Amends TCA Title 4 and Title 41.

**Senate Bill No. 3097** by Senator Norris.

Criminal Procedure -- As introduced, allows alleged violator 10 days from receipt of letter from district attorney, instead of 15 days, to pay bad check plus fees prior to commencement of criminal action. Amends TCA Title 40.

**Senate Bill No. 3098** by Senator Norris.

Gas, Petroleum Products, Volatile Oils -- As introduced, increases the civil penalty for unfair sales practices by dealers of petroleum products from \$1,000 to \$1,500. Amends TCA Title 47.

**Senate Bill No. 3099** by Senator Norris.

Education, State Board of -- As introduced, defines "textbook" for purposes of the duty of the state board to prescribe textbooks and materials for the public schools. Amends TCA Section 49-1-302.

**Senate Bill No. 3100** by Senator Norris.

Education -- As introduced, requires office of education accountability to submit a copy of its report on monitoring system and school improvement plans to the Finance, Ways and Means Committees, in addition to the Education Committees. Amends TCA Title 49.

**Senate Bill No. 3101** by Senator Norris.

Tort Liability and Reform -- As introduced, provides that the damages that may be awarded in a healthcare liability action in which liability is admitted or established, are subject to the "Tennessee Civil Justice Reform Act of 2011". Amends TCA Section 7-57-502; Section 8-42-101; Section 8-21-401; Section 9-8-307; Section 10-7-504; Section 28-3-104; Section 29-26-118; Section 29-26-119; Section 29-26-120; Section 29-26-121; Section 29-26-122; Section 29-26-202; Section 29-20-310; Section 29-26-115; Section 29-26-116; Section 29-26-117; Section 37-5-314; Section 56-3-111; Section 56-30-115; Section 56-31-114; Section 56-32-110; Section 56-32-130; Section 56-54-101; Section 56-54-102; Section 56-54-103; Section 56-54-104; Section 56-54-105; Section 56-54-106; Section 56-7-1001; Section 56-7-101; Section 56-7-115; Section 56-8-104; Section 56-13-104; Section 56-19-125; Section 56-2-201; Section 56-27-115; Section 61-1-306; Section 62-3-121; Section 63-25-110; Section 63-27-112; Section 63-3-119; Section 63-30-111; Section 63-31-109; Section 63-4-114; Section 63-5-124; Section 63-51-105; Section 63-51-111; Section 63-51-117; Section 63-6-214; Section 63-6-219; Section 63-6-221; Section 63-6-234; Section 63-8-120; Section 63-9-111; Section 63-9-117; Section 63-11-215; Section 63-12-124; Section 63-13-209; Section 63-23-108; Section 68-140-311; Section 68-140-511 and Section 68-11-223.

**Senate Bill No. 3102** by Senator Norris.

Health, Dept. of -- As introduced, requires the board of pharmacy to report to the Senate Health and Welfare Committee and Health and Human Resources Committee of the House concerning the drugs it has approved to be dispensed by local health departments by February 1 of each year. Amends TCA Section 63-10-205.

**Senate Bill No. 3103** by Senator Norris.

Public Health -- As introduced, requires the Commissioner of Health to report, by January 15, 2013, to certain House and Senate Committees concerning the effects of telemedicine. Amends TCA Title 56, Chapter 7, Part 23.

**Senate Bill No. 3104** by Senator Norris.

Taxes -- As introduced, requires that a common carrier's exemption authorization number be included on any certificate of exemption given to a dealer in order for a common carrier to qualify for a reduced sales tax rate on purchases. Amends TCA Title 67.

**Senate Bill No. 3105** by Senator Norris.

Motor Vehicles, Titling and Registration -- As introduced, increases the grace period for active military members stationed outside of continental United States to renew vehicle registrations from "14 days" to "30 days" after the member's return to the state; revises when a registration plate must be attached to the rear of a truck. Amends TCA Title 56; Title 65 and Title 66.

**Senate Bill No. 3106** by Senator Norris.

Taxes -- As introduced, requires that a seller and certified service provider engage in at least two sales transactions, instead of one, in order to constitute a recurring business relationship for

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purposes of exempting them from renewing blanket sales and use tax exemption certificates. Amends TCA Title 7 and Title 67.

**Senate Bill No. 3107** by Senator Norris.

Taxes -- As introduced, specifies that a federal license to sell alcoholic beverages does not mean a federal excise tax receipt. Amends TCA Title 7; Title 55; Title 57 and Title 67.

**Senate Bill No. 3108** by Senator Norris.

Environmental Preservation -- As introduced, extends time for filing appeal of final actions of a region or authority from 30 days to 45 days. Amends TCA Title 67; Title 68 and Title 69.

**Senate Bill No. 3109** by Senator Norris.

TennCare -- As introduced, changes the date of the annual actuarial report by the comptroller of the treasury concerning TennCare from April 15 to March 31; increases the frequency of the Bureau of TennCare's reports on the pharmacy rebate program from quarterly to monthly. Amends TCA Title 56; Title 63; Title 68 and Title 71.

**Senate Bill No. 3110** by Senator Yager.

Traffic Safety -- As introduced, prohibits animals in a driver's lap or between the driver and the driver's door while the motor vehicle is in motion. Amends TCA Title 55, Chapter 8, Part 2.

**Senate Bill No. 3111** by Senator Yager.

Alcoholic Beverages -- As introduced, removes certain restrictions that limit the ability of a person to obtain a wholesaler or retailer license in certain circumstances. Amends TCA Section 57-3-210 and Title 57, Chapter 3, Part 7.

**Senate Bill No. 3112** by Senator Yager.

Criminal Offenses -- As introduced, adds community service as punishment for simple possession or casual exchange of certain controlled substances. Amends TCA Section 39-17-418.

**Senate Bill No. 3113** by Senator Yager.

Welfare -- As introduced, requires the production of a photo identification when an electronic benefits transfer card from a Department of Human Services administered program is used to make a purchase. Amends TCA Title 71.

**Senate Bill No. 3114** by Senator Yager.

Zoning -- As introduced, expands nonconforming uses to those on contiguous land under common ownership. Amends TCA Title 13, Chapter 7, Part 2.

**Senate Bill No. 3115** by Senator Yager.

Education, Higher -- As introduced, permits combat veterans who are residents of Tennessee and students at public institutions of higher education to register for classes prior to the general student population. Amends TCA Title 49.

**Senate Bill No. 3116** by Senators Gresham, Summerville, Burks, Tracy, Campfield, Tate, Crowe, Bell, Roberts, Southerland, Mr. Speaker Ramsey and Watson.

Education -- As introduced, requires local boards of education to adopt policies concerning a teacher's ability to relocate a student for the safety of the student and the safety of others. Amends TCA Title 49.



**Senate Bill No. 3117** by Senator Yager.

Alcoholic Beverages -- As introduced, authorizes Norris Landing Marina in Claiborne County to be issued a license as a premier type tourist resort. Amends TCA Section 57-4-102.

**Senate Bill No. 3118** by Senator Yager.

Zoning -- As introduced, specifies evidence of abandonment of non-conforming use, directs the governmental entity with jurisdiction to establish beginning and ending dates for the prescriptive period, and creates a rebuttable presumption of abandonment upon a governmental finding of credible evidence establishing a non-conforming use for the prescribed period. Amends TCA Section 13-7-208.

**Senate Bill No. 3119** by Senator Yager.

Municipal Government -- As introduced, allows municipal Regional Planning Commission, in counties that have not adopted zoning, to exercise subdivision approval within the planning commission's region without the approval of the county legislative body. Amends TCA Section 6-58-106(d).

**Senate Bill No. 3120** by Senator Yager.

Alcoholic Beverages -- As introduced, allows a member of the Armed Forces stationed overseas or a Tennessee resident who has been living outside the U.S. due to employment to ship wine into the state by getting a \$100 permit and paying the appropriate taxes. Amends TCA Title 57.

**Senate Bill No. 3121** by Senator Yager.

Alcoholic Beverages -- As introduced, allows cities and counties to limit number of retail liquor stores to no less than one per 6,000 residents. Amends TCA Section 57-3-208.

**Senate Bill No. 3122** by Senator Gresham.

Education -- As introduced, allows teachers to remove disruptive students from class pursuant to local board policies. Amends TCA Title 49.

**Senate Bill No. 3123** by Senator Stewart.

Naming and Designating -- As introduced, designates May, 2012 as "Motorcycle Safety and Awareness Month".

**Senate Bill No. 3124** by Senator Stewart.

Special License Plates -- As introduced, extends until June 30, 2013, for Donate Life new specialty earmarked license plates to obtain the minimum number of orders for issuance of such license plate. Amends TCA Title 55, Chapter 4.

**Senate Bill No. 3125** by Senator Stewart.

Gas, Petroleum Products, Volatile Oils -- As introduced, establishes regulations governing groundwater protection standards that are no less stringent than those adopted by the American Petroleum Institute in Guidance Document HF1, First Edition, Hydraulic Fracturing Operations Well Construction and Integrity Guidelines, October, 2009 or any later revision. Amends TCA Title 60, Chapter 1 and Title 69, Chapter 3, Part 1.

**Senate Bill No. 3126** by Senator Stewart.

Gas, Petroleum Products, Volatile Oils -- As introduced, directs the state oil and gas board to adopt regulations and governing standards for groundwater protection, effective November 1, 2012. Amends TCA Title 60, Chapter 1 and Title 69, Chapter 3, Part 1.

**Senate Bill No. 3127** by Senator Stewart.

Gas, Petroleum Products, Volatile Oils -- As introduced, defines "fracking" and "trade secret" relative to well drilling; creates a notice requirement and prior approval from the state oil and gas board before any chemicals are injected into the wells; establishes a disclosure process if any injection is confidential or involves trade secrets. Amends TCA Title 60, Chapter 1 and Title 69, Chapter 3, Part 1.

**Senate Bill No. 3128** by Senator Stewart.

Education, Higher -- As introduced, freezes in-state tuition and fees and room and board for three years at the public universities and community colleges. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9.

**Senate Bill No. 3129** by Senator Stewart.

Taxes, Ad Valorem -- As introduced, exempts the state and local governmental entities from liability for homeowners' association fees and certain obligations when the governmental entity acquires real property to enforce its tax lien. Amends TCA Title 67, Chapter 5, Part 24 and Title 67, Chapter 5, Part 25.

**Senate Bill No. 3130** by Senator Stewart.

Employees, Employers -- As introduced, prohibits discrimination in employment on the basis of an individual's status or history of unemployment. Amends TCA Title 50.

**Senate Bill No. 3131** by Senator Stewart.

Education -- As introduced, prohibits use of taxpayer generated funds for payment of membership dues to the Tennessee school boards association. Amends TCA Section 49-2-2001.

**Senate Bill No. 3132** by Senator Stewart.

Education -- As introduced, requires cuts to a school district's budget to be made first to funds paid to professional organizations. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 3.

**Senate Bill No. 3133** by Senator Stewart.

Health Care -- As introduced, requires that every newborn be tested for lysosomal storage diseases. Amends TCA Title 68, Chapter 5.

**Senate Bill No. 3134** by Senator Stewart.

Dentists and Dentistry -- As introduced, authorizes board to permit registered dental assistants to expose and process dental radiographs. Amends TCA Title 63, Chapter 5, Part 1.

**Senate Bill No. 3135** by Senator Harper.

Civil Procedure -- As introduced, requires notification of certain boards when a temporary writ of injunction is issued by a court against a business holding a license or permit issued by such agencies; also requires notification when a business holding such a license is declared by a court to be a nuisance; suspension to be for a certain period of time. Amends TCA Title 4; Section 4-3-1304; Title 5; Title 6; Title 7; Section 8-21-401; Title 29, Chapter 3 and Section 68-1-101.

**Senate Bill No. 3136** by Senator Harper.

Alcoholic Beverage Commission -- As introduced, authorizes the commission to conduct criminal history background or fingerprint checks on a random sample of permittees or licensees; increases each application fee by \$50.00 to cover the cost of checks to be deposited in a special background check fund. Amends TCA Title 57.

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**Senate Bill No. 3137** by Senator Faulk.

Trusts -- As introduced, includes "persons" in definition of "family member" for purposes of determining which family members a private trust can do business with while maintaining exemptions from the "Banking Act". Amends TCA Title 45, Chapter 2, Part 20.

**Senate Bill No. 3138** by Senator Ford.

Tennessee Arts Commission -- As introduced, requires commission to publish synopsis of report concerning level of participation in the grant program for traditionally underserved and underrepresented artists and art organizations. Amends TCA Title 4.

**Senate Bill No. 3139** by Senator Ford.

Education -- As introduced, increases minimum length of kindergarten day to not less than five hours from not less than four hours. Amends TCA Title 49, Chapter 6.

**Senate Bill No. 3140** by Senator Ford.

Health Care -- As introduced, extends the amount of time from 90 to 120 days that owners of newly acquired medical equipment have to register the equipment with the health services and development agency. Amends TCA Title 68.

**Senate Bill No. 3141** by Senator Kyle.

Election Laws -- As introduced, removes requirement that voter needs photograph identification prior to voting; restores former requirement that voter present identification for purpose of comparing signature on the application for ballot. Amends TCA Title 2, Chapter 7, Part 1.

**Senate Bill No. 3142** by Senator Marrero.

Public Funds and Financing -- As introduced, requires commutation of compensation for exonerated persons to lump sum upon request. Amends TCA Title 9, Chapter 8, Part 1.

**Senate Bill No. 3143** by Senator Marrero.

Children and Youth, Commission on -- As introduced, deletes certain obsolete statutory provisions pertaining to the commission. Amends TCA Title 37, Chapter 3.

**Senate Bill No. 3144** by Senator Marrero.

Health Care -- As introduced, states that after the initial utilization review, additional information or follow-up utilization review for outpatient mental health or chemical dependency patients shall be limited to no more than 10 percent of reviews performed by the utilization review agent for the previous year. Amends TCA Section 56-6-705.

**Senate Bill No. 3145** by Senator Burks.

Hospitals and Healthcare Facilities -- As introduced, provides that reporting of injury other than those caused by deadly weapon upon a domestic violence or sexual assault on adult who does not wish to give consent to send identifying information to law enforcement to be filled out on forms that provide location and injury information but not name and address of victim. Amends TCA Title 36 and Title 38.

**Senate Bill No. 3146** by Senator Marrero.

Children -- As introduced, requires certain contractors of Department of Children's Services to petition a court for an inpatient psychiatric evaluation of a child in certain circumstances. Amends TCA Title 33; Title 37 and Title 49.

**Senate Bill No. 3147** by Senator Marrero.

Election Laws -- As introduced, removes requirement that a person must pay restitution to victims and court costs to have right of suffrage restored. Amends TCA Title 40, Chapter 29, Part 2.

**Senate Bill No. 3148** by Senator Marrero.

Health, Dept. of -- As introduced, increases the range of civil penalties assessed for any commercial breeder that advertises, sells or offers to sell any companion animal without a valid license from the commissioner from \$50-\$1,000 to \$100-\$2,000. Amends TCA Title 44, Chapter 17, Part 7.

**Senate Bill No. 3149** by Senator Marrero.

Animal Cruelty and Abuse -- As introduced, enacts the "Tennessee Animal Abuser Registration, Tracking and Verification Act of 2012". Amends TCA Title 40, Chapter 39.

**Senate Bill No. 3150** by Senator Marrero.

Criminal Offenses -- As introduced, requires attorney general to report annually to Judiciary Committee of each chamber of the general assembly the number of persons prosecuted and convicted of unlawful drawing of real estate transfer documents. Amends TCA Title 39 and Title 66.

**Senate Bill No. 3151** by Senator Marrero.

Food and Food Products -- As introduced, mandates that all employees of food service establishments or retail food stores shall wear disposable sanitary gloves while preparing food. Amends TCA Title 53.

**Senate Bill No. 3152** by Senator Marrero.

Senior Citizens -- As introduced, specifies that if a member of the commission on aging and disability misses three consecutive meetings without a good excuse such member will be replaced. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 2.

**Senate Bill No. 3153** by Senator Marrero.

Mental Health, Dept. of -- As introduced, extends the time the Department of Intellectual and Developmental Disabilities has to respond to the comments from the public meeting from 35 to 45 days. Amends TCA Title 4, Chapter 3, Part 16; Title 33; Title 56 and Title 68.

**Senate Bill No. 3154** by Senator Kelsey.

Sexual Offenders -- As introduced, authorizes judge, after consideration of facts and circumstances surrounding the case, to require a person convicted of statutory rape for the first time to register as a sexual offender on the sexual offender and violent sexual offender registry. Amends TCA Title 39, Chapter 13, Part 5 and Title 40, Chapter 39, Part 2.

**Senate Bill No. 3155** by Senator Kelsey.

Education -- As introduced, requires standardized testing of K-2 students in schools in the achievement school district or in schools feeding into schools in the achievement school district to determine how to best target student learning needs and if any learning disparities exist. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6.

**Senate Bill No. 3156** by Senator Kelsey.

Education -- As introduced, requires full funding of pre-K for students who are in school zones feeding into schools in the achievement school district that the district directly runs. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5 and Title 49, Chapter 6.

**Senate Bill No. 3157** by Senator Finney.

Taxes, Real Property -- As introduced, requires purchaser of property at delinquent tax sale to record copy of the decree that ordered the sale within three days of purchase to serve as notice of purchaser's interest during the redemption period. Amends TCA Title 67, Chapter 5.

**Senate Bill No. 3158** by Senator Finney.

Hospitals and Healthcare Facilities -- As introduced, creates new category of Level I adult care home under "Long-Term Care Community Choices Act". Amends TCA Title 68.

**Senate Bill No. 3159** by Senator Tracy.

Schools, Charter -- As introduced, includes in definition of underutilized and vacant property of an LEA school in which the number of students enrolled is less than 50 percent of the school's capacity; authorizes comptroller to conduct a review of the LEA's catalog of underutilized and vacant property, if requested. Amends TCA Title 49.

**Senate Bill No. 3160** by Senator Tracy.

Schools, Charter -- As introduced, changes grounds for revocation of a public charter school agreement from failing to make AYP for two consecutive years to failing to meet achievement benchmarks of the state's academic accountability system for five consecutive years; allows revocations for failure to meet academic accountability to be appealed to the State Board of Education. Amends TCA Title 49, Chapter 13.

**Senate Bill No. 3161** by Senator Tracy.

Consumer Protection -- As introduced, prohibits lenders from entering into transactions in which a person or entity, for certain consideration, provides funds to another person involved in a legal action and the person receiving the funds assigns to the person or entity the contingent right to receive a part of the proceeds or the legal action's settlement or award; voids contracts resulting from such transactions; makes such prohibited behavior a violation of the "Consumer Protection Act of 1977". Amends TCA Title 45 and Title 47, Chapter 18.

**Senate Bill No. 3162** by Senator Faulk.

Taxes, Exemption and Credits -- As introduced, exempts staple food from state sales tax; defines staple food to include: fruits and vegetables, grains, dried beans, flour, meats, poultry, fish, and certain nutritious beverages; holds local governments harmless from the loss of state-shared tax revenues. Amends TCA Title 67, Chapter 6, Part 1; Title 67, Chapter 6, Part 2 and Title 67, Chapter 6, Part 3.

**Senate Bill No. 3163** by Senator Faulk.

County Officers -- As introduced, clarifies that sheriffs have a duty to enforce county ordinances and resolutions. Amends TCA Title 8, Chapter 8.

**Senate Bill No. 3164** by Senator Faulk.

Taxes, Litigation -- As introduced, authorizes the Sullivan County legislative body, by two-thirds majority vote, to levy a privilege tax of \$25.00 in all civil and criminal cases, such revenue to be used exclusively to provide representation for indigent criminal defendants. Amends TCA Section 67-4-601.

**Senate Bill No. 3165** by Senator Faulk.

Municipal Government -- As introduced, extends date from July 1, 2012, to July 1, 2014, on expansion of urban growth boundaries for certain tracts of land 10 acres or smaller. Amends TCA Section 6-58-104.

**Senate Bill No. 3166** by Senators Faulk, Norris and Ketron.

Public Officials -- As introduced, authorizes purchase of insurance to protect against breach of fiduciary duty by public officials and employees. Amends TCA Title 8 and Title 29.

**Senate Bill No. 3167** by Senator Haynes.

Planning, Public -- As introduced, redefines subdivision in municipal county and regional regulations by expanding the maximum size allowed for the subdivided parcels from less than five to less than 25 acres. Amends TCA Section 13-3-401 and Section 13-4-301.

**Senate Bill No. 3168** by Senator Haynes.

County Government -- As introduced, permits the county mayor to retain veto power if serving as chair of the county legislative body; removes the authority of the county mayor to vote to break a tie when the county mayor is serving as chair; requires a two-thirds vote to override a veto instead of a majority vote. Amends TCA Section 5-5-103; Section 5-5-109 and Section 5-6-107.

**Senate Bill No. 3169** by Senator Haynes.

Motor Vehicles -- As introduced, specifies that the amount of the fine for failing to use a child restraint system in a rear facing position is \$75.00, and not a maximum of \$50.00; requires that children up to age two, instead of one, must be protected in such systems. Amends TCA Title 55, Chapter 9.

**Senate Bill No. 3170** by Senator Haynes.

Lottery, Scholarships and Programs -- As introduced, permits an independent postsecondary institution that was an eligible independent postsecondary institution for lottery scholarship purposes, but became ineligible because of a change in the definition of eligible independent postsecondary institution, to remain in eligible status so long as it is accredited by SACS. Amends TCA Section 49-4-902(11)(B).

**Senate Bill No. 3171** by Senator Haynes.

Planning, Public -- As introduced, revises authority or responsibility with respect to street construction and acceptance of public streets located within a subdivision in certain circumstances. Amends TCA Section 13-3-403 and Section 13-3-405.

**Senate Bill No. 3172** by Senator Haynes.

Motor Vehicles -- As introduced, deletes the June 30, 2012, repeal date for the reduced payment option available to persons in Davidson County whose licenses have been suspended for certain driving offenses and who have outstanding fines and costs. Amends TCA Section 55-50-502.

**Senate Bill No. 3173** by Senator Bell.

Sunset Laws -- As introduced, terminates the advisory committee on women's health. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1, Part 18.

**Senate Bill No. 3174** by Senator Bell.

Economic and Community Development -- As introduced, requires the Commissioner of Economic and Community Development and the Commissioner of Revenue to study and report to the general assembly the effect of tax incentives on economic development in cities and counties. Amends TCA Title 67.

**Senate Bill No. 3175** by Senator Bell.

Game and Fish Laws -- As introduced, provides that wildlife officers have the right to inspect the license of a person who is engaged in the taking or possessing of wildlife, but are subject to same

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constitutional standards as law enforcement officers for other searches of persons or places. Amends TCA Title 70, Chapter 6, Part 1.

**Senate Bill No. 3176** by Senator Bell.

Law Enforcement -- As introduced, establishes the drug enforcement and education fund from forfeitures, seizures, confiscations sales and fines derived from the activities of judicial district drug task forces to be used for awarding grants to local law enforcement agencies for drug education, methamphetamine restoration and general law enforcement purposes. Amends TCA Title 39, Chapter 17 and Title 40, Chapter 33.

**Senate Bill No. 3177** by Senator Bell.

Financial Responsibility Law -- As introduced, deletes provision that requires accident report if a person is injured or killed or the amount of damage is in excess of \$400. Amends TCA Section 55-12-104.

**Senate Bill No. 3178** by Senator Bell.

Schools, Charter -- As introduced, makes charter schools subject to open meetings law; requires charter schools to maintain a Web site and post certain notices and information on the Web site; makes charter school records open records to the same extent as records of public schools operated by LEAs. Amends TCA Title 49, Chapter 13.

**Senate Bill No. 3179** by Senator Bell.

Tort Liability and Reform -- As introduced, limits liability of whitewater rafting companies in certain circumstances. Amends TCA Title 70.

**Senate Bill No. 3180** by Senator Bell.

Wildlife Resources Commission -- As introduced, revises membership of Tennessee Wildlife Resources Commission. Amends TCA Title 4, Chapter 29 and Title 70.

**Senate Bill No. 3181** by Senator Bell.

Administrative Procedure (UAPA) -- As introduced, expands notice requirement for contested case hearings, from reasonable notice to 30 days notice; prohibits appeal of order of continuance in hearings until order permitting appeal is issued; authorizes petition for attorney's fees and costs by persons in contested case hearings. Amends TCA Title 4, Chapter 5.

**Senate Bill No. 3182** by Senator Bell.

Health, Dept. of -- As introduced, eliminates the state policy requirement to provide all medically acceptable contraception measures. Amends TCA Title 4; Title 68 and Title 71.

**Senate Bill No. 3183** by Senator Bell.

Naming and Designating -- As introduced, designates the first week in March as "Rescue Squad Week". Amends TCA Title 15, Chapter 2, Part 1.

**Senate Bill No. 3184** by Senator Bell.

Environment and Conservation, Dept. of -- As introduced, requires the department to regulate petroleum underground storage tanks only to the extent required by federal law. Amends TCA Title 68, Chapter 215.

**Senate Bill No. 3185** by Senator Bell.

Teachers, Principals and School Personnel -- As introduced, makes K-12 teachers state employees. Amends TCA Title 8 and Title 9.

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### **Senate Bill No. 3186** by Senator Bell.

Water Pollution -- As introduced, authorizes phase I and phase II designated municipal separate storm sewer systems to administer their own NPDES stormwater construction permitting programs and the review thereof. Amends TCA Title 69.

### **Senate Bill No. 3187** by Senator Bell.

Water Pollution -- As introduced, authorizes municipal separate storm sewer systems that become qualified local programs pursuant to department approval to administer their own NPDES stormwater construction permitting programs and the review thereof. Amends TCA Title 69, Chapter 3, Part 1.

### **Senate Bill No. 3188** by Senator Overbey.

Public Employees -- As introduced, redefines the duties of the executive director of the public defenders conference. Amends TCA Title 8, Chapter 14 and Title 9, Chapter 4.

### **Senate Bill No. 3189** by Senator Overbey.

Mental Health, Dept. of -- As introduced, directs the information gathered through the family support program to be provided to the House Health and Human Resources Committee and the Senate Health and Welfare Committee. Amends TCA Section 33-5-212.

### **Senate Bill No. 3190** by Senator Marrero.

Domestic Violence -- As introduced, requires person who must dispossess all firearms possessed because of an order of protection in effect or domestic assault conviction to also dispossess of any ammunition for such firearms. Amends TCA Title 36, Chapter 3, Part 6; Title 39, Chapter 13 and Title 39, Chapter 17.

### **Senate Bill No. 3191** by Senator Tate.

Public Contracts -- As introduced, allows the state or any political subdivision thereof to choose certain preferred resident vendors' bids over the bids of the lowest responsible bidders as long as the preferred vendors' bids are no more than 5 percent greater. Amends TCA Title 12, Chapter 3 and Title 12, Chapter 4.

## MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 2693 through 2728 and 2730 through 2899** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

## **SENATE BILLS ON SECOND CONSIDERATION**

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

**Senate Bill No. 2693** referred to the Committee on Education.

**Senate Bill No. 2694** referred to the Committee on Education.

**Senate Bill No. 2695** referred to the Committee on Judiciary.

**Senate Bill No. 2696** referred to the Committee on Judiciary.



**Senate Bill No. 2697** referred to the Committee on Judiciary.

**Senate Bill No. 2698** referred to the Committee on Health and Welfare.

**Senate Bill No. 2699** referred to the Committee on State and Local Government.

**Senate Bill No. 2700** referred to the Committee on Judiciary.

**Senate Bill No. 2701** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2702** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2703** referred to the Committee on State and Local Government.

**Senate Bill No. 2704** referred to the Committee on Judiciary.

**Senate Bill No. 2705** referred to the Committee on Judiciary.

**Senate Bill No. 2706** referred to the Committee on Judiciary.

**Senate Bill No. 2707** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2708** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2709** referred to the Committee on Education.

**Senate Bill No. 2710** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2711** referred to the Committee on Judiciary.

**Senate Bill No. 2712** referred to the Committee on State and Local Government.

**Senate Bill No. 2713** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2714** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2715** referred to the Committee on Judiciary.

**Senate Bill No. 2716** referred to the Committee on Judiciary.

**Senate Bill No. 2717** referred to the Committee on Judiciary.

**Senate Bill No. 2718** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2719** referred to the Committee on Judiciary.

**Senate Bill No. 2720** referred to the Committee on Judiciary.

**Senate Bill No. 2721** referred to the Committee on State and Local Government.

**Senate Bill No. 2722** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2723** referred to the Committee on Education.

**Senate Bill No. 2724** referred to the Committee on Education.

**Senate Bill No. 2725** referred to the Committee on State and Local Government.

**Senate Bill No. 2726** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2727** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2728** referred to the Committee on Judiciary.

**Senate Bill No. 2730** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2731** referred to the Committee on Energy and Environment.

**Senate Bill No. 2732** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2733** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2734** referred to the Committee on Judiciary.

**Senate Bill No. 2735** referred to the Committee on State and Local Government.

**Senate Bill No. 2736** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2737** referred to the Committee on Judiciary.

**Senate Bill No. 2738** referred to the Committee on Education.

**Senate Bill No. 2739** referred to the Committee on Judiciary.

**Senate Bill No. 2740** referred to the Committee on State and Local Government.

**Senate Bill No. 2741** referred to the Committee on Judiciary.

**Senate Bill No. 2742** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2743** referred to the Committee on Energy and Environment.

**Senate Bill No. 2744** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2745** referred to the Committee on Judiciary.

**Senate Bill No. 2746** referred to the Committee on Judiciary.

**Senate Bill No. 2747** referred to the Committee on Judiciary.

**Senate Bill No. 2748** referred to the Committee on Judiciary.

**Senate Bill No. 2749** referred to the Committee on Judiciary.

**Senate Bill No. 2750** referred to the Committee on Government Operations.

**Senate Bill No. 2751** referred to the Committee on State and Local Government.

**Senate Bill No. 2752** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2753** referred to the Committee on Energy and Environment.

**Senate Bill No. 2754** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2755** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2756** referred to the Committee on Health and Welfare.

**Senate Bill No. 2757** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2758** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2759** referred to the Committee on Judiciary.

**Senate Bill No. 2760** referred to the Committee on Education.

**Senate Bill No. 2761** referred to the Committee on State and Local Government.

**Senate Bill No. 2762** referred to the Committee on State and Local Government.

**Senate Bill No. 2763** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2764** referred to the Committee on Health and Welfare.

**Senate Bill No. 2765** referred to the Committee on Judiciary.

**Senate Bill No. 2766** referred to the Committee on Health and Welfare.

**Senate Bill No. 2767** referred to the Committee on Education.

**Senate Bill No. 2768** referred to the Committee on State and Local Government.

**Senate Bill No. 2769** referred to the Committee on Judiciary.

**Senate Bill No. 2770** referred to the Committee on State and Local Government.

**Senate Bill No. 2771** referred to the Committee on Health and Welfare.

**Senate Bill No. 2772** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2773** referred to the Committee on Judiciary.

**Senate Bill No. 2774** referred to the Committee on Judiciary.

**Senate Bill No. 2775** referred to the Committee on Health and Welfare.

**Senate Bill No. 2776** referred to the Committee on Judiciary.

**Senate Bill No. 2777** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2778** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2779** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2780** referred to the Committee on Judiciary.

**Senate Bill No. 2781** referred to the Committee on Judiciary.

**Senate Bill No. 2782** referred to the Committee on Health and Welfare.

**Senate Bill No. 2783** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2784** referred to the Committee on State and Local Government.

**Senate Bill No. 2785** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2786** referred to the Committee on Education.

**Senate Bill No. 2787** referred to the Committee on Judiciary.

**Senate Bill No. 2788** referred to the Committee on Judiciary.

**Senate Bill No. 2789** referred to the Committee on Judiciary.

**Senate Bill No. 2790** referred to the Committee on Health and Welfare.

**Senate Bill No. 2791** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2792** referred to the Committee on Judiciary.

**Senate Bill No. 2793** referred to the Committee on Judiciary.

**Senate Bill No. 2794** referred to the Committee on Judiciary.

**Senate Bill No. 2795** referred to the Committee on Judiciary.

**Senate Bill No. 2796** referred to the Committee on Health and Welfare.

**Senate Bill No. 2797** referred to the Committee on Judiciary.

**Senate Bill No. 2798** referred to the Committee on Government Operations.

**Senate Bill No. 2799** referred to the Committee on Government Operations.

**Senate Bill No. 2800** referred to the Committee on Judiciary.

**Senate Bill No. 2801** referred to the Committee on State and Local Government.

**Senate Bill No. 2802** referred to the Committee on Education.

**Senate Bill No. 2803** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2804** referred to the Committee on Judiciary.

**Senate Bill No. 2805** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2806** referred to the Committee on Judiciary.

**Senate Bill No. 2807** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2808** referred to the Committee on Education.

**Senate Bill No. 2809** referred to the Committee on Education.

**Senate Bill No. 2810** referred to the Committee on Education.

**Senate Bill No. 2811** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2812** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2813** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2814** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2815** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2816** referred to the Committee on Health and Welfare.

**Senate Bill No. 2817** referred to the Committee on Judiciary.

**Senate Bill No. 2818** referred to the Committee on State and Local Government.

**Senate Bill No. 2819** referred to the Committee on Delayed Bills.

**Senate Bill No. 2820** referred to the Committee on Judiciary.

**Senate Bill No. 2821** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2822** referred to the Committee on Judiciary.

**Senate Bill No. 2823** referred to the Committee on Judiciary.

**Senate Bill No. 2824** referred to the Committee on State and Local Government.

**Senate Bill No. 2825** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2826** referred to the Committee on Judiciary.

**Senate Bill No. 2827** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2828** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2829** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2830** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2831** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2832** referred to the Committee on State and Local Government.

**Senate Bill No. 2833** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2834** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2835** referred to the Committee on Judiciary.

**Senate Bill No. 2836** referred to the Committee on Judiciary.

**Senate Bill No. 2837** referred to the Committee on Education.

**Senate Bill No. 2838** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2839** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2840** referred to the Committee on Judiciary.

**Senate Bill No. 2841** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2842** referred to the Committee on Judiciary.

**Senate Bill No. 2843** referred to the Committee on State and Local Government.

**Senate Bill No. 2844** referred to the Committee on Judiciary.

**Senate Bill No. 2845** referred to the Committee on State and Local Government.

**Senate Bill No. 2846** referred to the Committee on State and Local Government.

**Senate Bill No. 2847** referred to the Committee on State and Local Government.

**Senate Bill No. 2848** referred to the Committee on State and Local Government.

**Senate Bill No. 2849** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2850** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2851** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2852** referred to the Committee on Energy and Environment.

**Senate Bill No. 2853** referred to the Committee on Judiciary.

**Senate Bill No. 2854** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2855** referred to the Committee on State and Local Government.

**Senate Bill No. 2856** referred to the Committee on Judiciary.

**Senate Bill No. 2857** referred to the Committee on Health and Welfare.

**Senate Bill No. 2858** referred to the Committee on Judiciary.

**Senate Bill No. 2859** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2860** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2861** referred to the Committee on Judiciary.

**Senate Bill No. 2862** referred to the Committee on Judiciary.

**Senate Bill No. 2863** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2864** referred to the Committee on Education.

**Senate Bill No. 2865** referred to the Committee on Energy and Environment.

**Senate Bill No. 2866** referred to the Committee on Education.

**Senate Bill No. 2867** referred to the Committee on Finance, Ways and Means.

**Senate Bill No. 2868** referred to the Committee on Education.

**Senate Bill No. 2869** referred to the Committee on Government Operations.

**Senate Bill No. 2870** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2871** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2872** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2873** referred to the Committee on State and Local Government.

**Senate Bill No. 2874** referred to the Committee on Judiciary.

**Senate Bill No. 2875** referred to the Committee on Health and Welfare.

**Senate Bill No. 2876** referred to the Committee on State and Local Government.

**Senate Bill No. 2877** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2878** referred to the Committee on State and Local Government.

**Senate Bill No. 2879** referred to the Committee on Energy and Environment.

**Senate Bill No. 2880** referred to the Committee on State and Local Government.

**Senate Bill No. 2881** referred to the Committee on Education.

**Senate Bill No. 2882** referred to the Committee on State and Local Government.

**Senate Bill No. 2883** referred to the Committee on Education.

**Senate Bill No. 2884** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2885** referred to the Committee on State and Local Government.

**Senate Bill No. 2886** referred to the Committee on Judiciary.

**Senate Bill No. 2887** referred to the Committee on Judiciary.

**Senate Bill No. 2888** referred to the Committee on State and Local Government.

**Senate Bill No. 2889** referred to the Committee on State and Local Government.

**Senate Bill No. 2890** referred to the Committee on Judiciary.

**Senate Bill No. 2891** referred to the Committee on Judiciary.

**Senate Bill No. 2892** referred to the Committee on Judiciary.

**Senate Bill No. 2893** referred to the Committee on Education.

**Senate Bill No. 2894** referred to the Committee on Judiciary.

**Senate Bill No. 2895** referred to the Committee on Commerce, Labor and Agriculture.

**Senate Bill No. 2896** referred to the Committee on Education.

**Senate Bill No. 2897** referred to the Committee on Transportation and Safety.

**Senate Bill No. 2898** referred to the Committee on Education.

**Senate Bill No. 2899** referred to the Committee on Judiciary.

#### **MOTION**

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 552 through 560**; and **Senate Resolution No. 76** be passed on first consideration and lie over, which motion prevailed.

#### **INTRODUCTION OF RESOLUTIONS**

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.



**THURSDAY, JANUARY 26, 2012 -- 47TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 552** by Senator Tracy.

General Assembly, Statement of Intent or Position -- Urges support for school-aged children's access to immunization through school-based vaccination programs.

**Senate Joint Resolution No. 553** by Senators Tracy and Ketron.

Memorials, Retirement -- Tom Tozer.

**Senate Joint Resolution No. 554** by Senator Overbey.

Memorials, Recognition -- First Christian Church, 100th anniversary.

**Senate Joint Resolution No. 555** by Senators Massey, Campfield and McNally.

Memorials, Recognition -- Claire Coker, National President of DECA.

**Senate Joint Resolution No. 556** by Mr. Speaker Ramsey.

Memorials, Recognition -- Rocky Mount Museum.

**Senate Joint Resolution No. 557** by Senator Johnson.

Memorials, Retirement -- John Chiaramonte, Jr.

**Senate Joint Resolution No. 558** by Senator Yager.

Memorials, Death -- Earl Bruce Parker.

**Senate Joint Resolution No. 559** by Senator Haynes.

Memorials, Public Service -- Representative Gary Moore.

**Senate Joint Resolution No. 560** by Senator Stewart.

Memorials, Death -- Bobby Lloyd Prater.

**Senate Resolution No. 76** by Senator Tracy.

Memorials, Sports -- Rex Coleman Brothers.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 589, 591 and 592**; and **Senate Joint Resolutions Nos. 523 through 527 and 531 through 551** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**RESOLUTIONS LYING OVER**

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**House Joint Resolution No. 589** -- Memorials, Personal Occasion -- Pauline Hughes, 90th birthday.

The Speaker announced that he had referred House Joint Resolution No. 589 to the Committee on Calendar.

**House Joint Resolution No. 591** -- Memorials, Retirement -- Gary Luffman.

**THURSDAY, JANUARY 26, 2012 -- 47TH LEGISLATIVE DAY**

The Speaker announced that he had referred House Joint Resolution No. 591 to the Committee on Calendar.

**House Joint Resolution No. 592** -- Memorials, Recognition -- Helping Hands and Linking Arms Day of Service.

The Speaker announced that he had referred House Joint Resolution No. 592 to the Committee on Calendar.

**Senate Joint Resolution No. 523** -- General Assembly, Statement of Intent or Position -- Expresses Tennessee's support for the Nation of Israel.

The Speaker announced that he had referred Senate Joint Resolution No. 523 to the Committee on Finance, Ways and Means.

**Senate Joint Resolution No. 524** -- Memorials, Professional Achievement -- Shane Reeves and Rick Sain, 2011 Rutherford County Chamber of Commerce Business People of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 524 to the Committee on Calendar.

**Senate Joint Resolution No. 525** -- Memorials, Professional Achievement -- Bart Walker, 2011 Leadership Rutherford Pinnacle Award.

The Speaker announced that he had referred Senate Joint Resolution No. 525 to the Committee on Calendar.

**Senate Joint Resolution No. 526** -- Naming and Designating -- "Sons of Confederate Veterans Week", July 8-14, 2012.

The Speaker announced that he had referred Senate Joint Resolution No. 526 to the Committee on State and Local Government.

**Senate Joint Resolution No. 527** -- Memorials, Professional Achievement -- Lynne Tede, Rutherford County Chamber of Commerce Diplomat of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 527 to the Committee on Calendar.

**Senate Joint Resolution No. 531** -- Memorials, Death -- Robert J. "Bob" Davis, Sr.

The Speaker announced that he had referred Senate Joint Resolution No. 531 to the Committee on Calendar.

**Senate Joint Resolution No. 532** -- Memorials, Recognition -- Haven House, 30th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 532 to the Committee on Calendar.

**THURSDAY, JANUARY 26, 2012 -- 47TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 533** -- Naming and Designating -- "Children's Mental Health Week", May 6-12, 2012.

The Speaker announced that he had referred Senate Joint Resolution No. 533 to the Committee on Health and Welfare.

**Senate Joint Resolution No. 534** -- Memorials, Recognition -- Cripple Creek Cloggers, 45th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 534 to the Committee on Calendar.

**Senate Joint Resolution No. 535** -- Memorials, Recognition -- International Folkfest, 30th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 535 to the Committee on Calendar.

**Senate Joint Resolution No. 536** -- Memorials, Congress -- Urges amending the "Public Health Service Act" to require methadone clinics to participate in the prescription drug monitoring programs in the states in which such clinics operate.

The Speaker announced that he had referred Senate Joint Resolution No. 536 to the Committee on Health and Welfare.

**Senate Joint Resolution No. 537** -- Naming and Designating -- "Digital Learning Day", February 1, 2012.

The Speaker announced that he had referred Senate Joint Resolution No. 537 to the Committee on Education.

**Senate Joint Resolution No. 538** -- Memorials, Recognition -- Ray and Jan Saunders.

The Speaker announced that he had referred Senate Joint Resolution No. 538 to the Committee on Calendar.

**Senate Joint Resolution No. 539** -- Memorials, Sports -- Coach Lamar Rogers.

The Speaker announced that he had referred Senate Joint Resolution No. 539 to the Committee on Calendar.

**Senate Joint Resolution No. 540** -- Memorials, Death -- Edgar L. Emens.

The Speaker announced that he had referred Senate Joint Resolution No. 540 to the Committee on Calendar.

**Senate Joint Resolution No. 541** -- Memorials, Professional Achievement -- Missy Elliott, 2012 Chattanooga Woman of Distinction.

The Speaker announced that he had referred Senate Joint Resolution No. 541 to the Committee on Calendar.

**THURSDAY, JANUARY 26, 2012 -- 47TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 542** -- Memorials, Professional Achievement -- Verina Baxter, 2012 Chattanooga Woman of Distinction.

The Speaker announced that he had referred Senate Joint Resolution No. 542 to the Committee on Calendar.

**Senate Joint Resolution No. 543** -- Memorials, Professional Achievement -- Pam Schulman, 2012 Chattanooga Woman of Distinction.

The Speaker announced that he had referred Senate Joint Resolution No. 543 to the Committee on Calendar.

**Senate Joint Resolution No. 544** -- Memorials, Professional Achievement -- Elizabeth "Betsy" McCright, 2012 Chattanooga Woman of Distinction.

The Speaker announced that he had referred Senate Joint Resolution No. 544 to the Committee on Calendar.

**Senate Joint Resolution No. 545** -- Memorials, Professional Achievement -- Dr. Mukta Panda, 2012 Chattanooga Woman of Distinction.

The Speaker announced that he had referred Senate Joint Resolution No. 545 to the Committee on Calendar.

**Senate Joint Resolution No. 546** -- Memorials, Professional Achievement -- Karen Walsh, 2012 Chattanooga Woman of Distinction.

The Speaker announced that he had referred Senate Joint Resolution No. 546 to the Committee on Calendar.

**Senate Joint Resolution No. 547** -- Memorials, Professional Achievement -- Kathie Scobee Fulgham, 2012 Chattanooga Woman of Distinction.

The Speaker announced that he had referred Senate Joint Resolution No. 547 to the Committee on Calendar.

**Senate Joint Resolution No. 548** -- Memorials, Professional Achievement -- Sandra Brewer, 2012 Chattanooga Woman of Distinction.

The Speaker announced that he had referred Senate Joint Resolution No. 548 to the Committee on Calendar.

**Senate Joint Resolution No. 549** -- Memorials, Professional Achievement -- Patsy Hazelwood, 2012 Chattanooga Woman of Distinction.

The Speaker announced that he had referred Senate Joint Resolution No. 549 to the Committee on Calendar.

**Senate Joint Resolution No. 550** -- Memorials, Professional Achievement -- Katherine Russell Lindgren, 2012 Chattanooga Woman of Distinction.

**THURSDAY, JANUARY 26, 2012 -- 47TH LEGISLATIVE DAY**

The Speaker announced that he had referred Senate Joint Resolution No. 550 to the Committee on Calendar.

**Senate Joint Resolution No. 551** -- Memorials, Professional Achievement -- Linda C. Thompson, 2012 Chattanooga Woman of Distinction.

The Speaker announced that he had referred Senate Joint Resolution No. 551 to the Committee on Calendar.

**MOTION**

Senator Tracy moved that Rule 37 be suspended for the immediate consideration of **Senate Resolution No. 76**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**Senate Resolution No. 76** -- Memorials, Sports -- Rex Coleman Brothers.

On motion of Senator Tracy, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 76** was adopted.

A motion to reconsider was tabled.

**LOCAL BILL**  
**CONSENT CALENDAR**

**Senate Bill No. 2303** -- Humphreys County -- As introduced, subject to local approval, rewrites county road law to conform with the Tennessee County Uniform Highway Law. Amends Chapter 634 of the Private Acts of 1935; as amended.

On motion, Senate Bill No. 2303 was made to conform with **House Bill No. 2153**.

On motion, House Bill No. 2153, on same subject, was substituted for Senate Bill No. 2303.

Senator Faulk moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 33  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**CALENDAR**

**House Joint Resolution No. 574** -- Memorials, Sports -- James Counce, 2011 Titans High School Football Coach of the Year.

Senator Herron moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the fourth clause in the preamble in its entirety and substituting the following language:

WHEREAS, under Coach Counce's exemplary leadership and guidance during this past season, the Patriots have amassed an astonishing 15-0 record and captured their first ever Division I-Class AAAAA State Championship; and

On motion, Amendment No. 1 was adopted.

Thereupon, **House Joint Resolution No. 574**, as amended, was concurred in by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**MOTION**

Senator Beavers moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 2360** on the calendar for the Committee on Judiciary for Tuesday, January 31, 2012, which motion prevailed.

**RECALL OF BILL**

On motion of Senator Kelsey, **Senate Bill No. 2150** was recalled from the Committee on State and Local Government.

**WITHDRAWAL OF BILL**

On motion of Senator Kelsey, Senate Bill No. 2150 was withdrawn from the Senate.

**RECALL OF BILL**

On motion of Senator Johnson, **Senate Bill No. 1315** was recalled from the Committee on Finance, Ways and Means.

**WITHDRAWAL OF BILL**

On motion of Senator Johnson, Senate Bill No. 1315 was withdrawn from the Senate.

**RECALL OF BILL**

On motion of Senator Johnson, **Senate Bill No. 1314** was recalled from the Committee on State and Local Government.

**WITHDRAWAL OF BILL**

On motion of Senator Johnson, Senate Bill No. 1314 was withdrawn from the Senate.

**RECALL OF BILL**

On motion of Senator Johnson, **Senate Bills Nos. 1313, 1742 and 1743** were recalled from the Committee on Commerce, Labor and Agriculture.

**WITHDRAWAL OF BILL**

On motion of Senator Johnson, Senate Bills Nos. 1313, 1742 and 1743 were withdrawn from the Senate.

**RECALL OF BILL**

On motion of Senator Gresham, **Senate Bills Nos. 824 and 825** were recalled from the Committee on Education.

**WITHDRAWAL OF BILL**

On motion of Senator Gresham, Senate Bills Nos. 824 and 825 were withdrawn from the Senate.

**RECALL OF BILL**

On motion of Senator Harper, **Senate Bill No. 2593** was recalled from the Committee on State and Local Government.

**WITHDRAWAL OF BILL**

On motion of Senator Harper, Senate Bill No. 2593 was withdrawn from the Senate.

**RECALL OF BILL**

On motion of Senator Tracy, **Senate Bill No. 760** was recalled from the Committee on Education.

**WITHDRAWAL OF BILL**

On motion of Senator Tracy, Senate Bill No. 760 was withdrawn from the Senate.

**RECALL OF BILL**

On motion of Mr. Speaker Ramsey, **Senate Bills Nos. 2169, 2195, 2274 and 2278** were recalled from the Committee on Calendar.

**REFERRAL OF BILL**

Mr. Speaker Ramsey moved that Senate Bills Nos. 2169, 2195, 2274 and 2278 be referred to the Committee on Finance, Ways and Means, which motion prevailed.

**RECESS**

Senator Norris moved that the Senate recess and repair in a body to the House Chamber to meet the House of Representatives in Joint Convention for the purpose of allowing Mr. Drew Rawlins to address the Body for the Annual Ethics Current Issues Course Training, and further moved that at the conclusion of the Joint Convention that the Senate adjourn until 5:00 p.m., Monday, January 30, 2012, which motion prevailed.

**IN JOINT CONVENTION  
ANNUAL ETHICS CURRENT ISSUES COURSE**

**CALL TO ORDER**

Mr. President Ramsey called the Joint Convention to order, pursuant to **Senate Joint Resolution No. 529**.

**ROLL CALL**

The Senate roll call was taken with the following results:

Present . . . . . 33

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

The House roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Alexander, Armstrong, Bass, Harry Brooks, Kevin Brooks, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, John Deberry, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Curtis Johnson, Phillip Johnson, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Don Miller, Larry Miller, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Johnnie Turner, Mike Turner, Watson, Weaver, White, Kent Williams, Ryan Williams, Windle, Wirgau, Womick and Madam Speaker Harwell--98.



Mr. Speaker Ramsey moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

### **PRESENTATION**

Pursuant to Tennessee Code Annotated, Section 3-6-113, Senator Norris introduced Mr. Drew Rawlins, Executive Director for the Bureau of Ethics and Campaign Finance, Tennessee Registry of Election Finance, who presented the annual Ethics Current Issues course to the Body.

### **MR. PRESIDENT RAMSEY RELINQUISHES THE CHAIR**

Mr. President Ramsey relinquished the Chair to Madam Speaker Harwell as President.

### **DISSOLUTION OF JOINT CONVENTION**

Madam President Harwell declared, pursuant to **Senate Joint Resolution No. 529**, the purpose for which the Joint Convention was assembled having been accomplished, the Joint Convention stood dissolved.

### **MOTION**

On motion of Senator Crowe, his name was added as sponsor of **Senate Bills Nos. 2190 and 3122**.

On motion of Senator Faulk, his name was added as sponsor of **Senate Bills Nos. 2203, 2382, 2460 and 2477**.

On motion of Senators Faulk and Overbey, their names were added as sponsors of **Senate Bills Nos. 2204 and 2231**.

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 2248**.

On motion of Senator Stewart, his name was added as sponsor of **Senate Bill No. 2270**.

On motion of Senator Overbey, his name was added as sponsor of **Senate Bill No. 2362; and House Joint Resolution No. 567**.

On motion of Senator Beavers, her name was added as sponsor of **Senate Bill No. 2541**.

On motion of Senator Ketron, his name was added as sponsor of **Senate Bills Nos. 2638, 2745, 2746, 2748, 2759, 2766, 2777, 2793, 2800, 2837, 2838, 2922, 2934, 2935, 2936, 2939, 3021, 3022, 3023, 3054, 3055, 3065, 3070, 3071, 3094, 3101, 3116, 3123, 3179 and 3183**.

On motion of Senator Johnson, his name was added as sponsor of **House Joint Resolutions Nos. 589, 590 and 591**.

**THURSDAY, JANUARY 26, 2012 -- 47TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

January 26, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 593, 594, 598, 600, 601 and 603; adopted, for the Senate's action.

JOE MCCORD,  
Chief Clerk.

**ENROLLED BILLS**

January 26, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Resolution No. 76, and find same correctly enrolled and ready for the signature of the Speaker.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**SIGNED**

January 26, 2012

The Speaker announced that he had signed the following: Senate Resolution No. 76.

**SIGNED**

January 26, 2012

The Speaker announced that he had signed the following: House Bill No. 208.

**MESSAGE FROM THE HOUSE**

January 26, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 496, 497, 498, 501, 502, 503, 504, 505, 508, 509, 510, 511, 512 and 514; signed by the Speaker.

JOE MCCORD,  
Chief Clerk.

**REPORT OF DEPUTY CHIEF CLERK**

January 26, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 496, 497, 498, 501, 502, 503, 504, 505, 508, 509, 510, 511, 512 and 514; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**THURSDAY, JANUARY 26, 2012 -- 47TH LEGISLATIVE DAY**

**MESSAGE FROM THE GOVERNOR**

January 26, 2012

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 528, 529 and 530; with his approval.

HERBERT H. SLATERY III,  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

January 27, 2012

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 496, 497, 498, 501, 502, 503, 504, 505, 508, 509, 510, 511, 512 and 514; with his approval.

HERBERT H. SLATERY III,  
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, January 30, 2012: House Joint Resolution No. 588; and Senate Joint Resolutions Nos. 520, 521 and 522.

This the 26th day of January, 2012.  
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, January 30, 2012: Senate Resolution No. 74; and Senate Bills Nos. 1194, 2183, 2197, 2257, 2291, 2319, 2320, 2326, 2329, 2330, 2331, 2332, 2333, 2334 and 2336.

This the 26th day of January, 2012.  
MIKE FAULK, Chairperson.

**ADJOURNMENT**

Pursuant to Senator Norris's motion, the Senate adjourned until 5:00 p.m., Monday, January 30, 2012.